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The True Patrick Henry

BY GEORGE MORGAN

THE ISSUE

A novel of the days of Clay, Webster, Calhoun, and Lincoln

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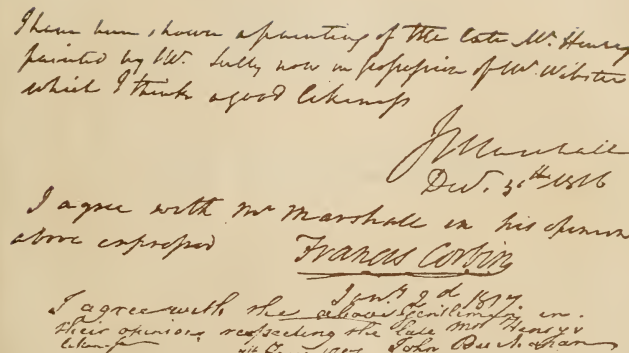
PATRICK HENRY

(After the painting by Thomas Sully, who never saw his subject, but successfully used the Fleming miniature. The original, now loaned to the State of Virginia, is the property of Mrs. M. B. Harrison.)



I have been shown a painting of the late Mr. Henry painted by Mr. Sully now in possession of Mr. Webster which I think a good likeness

J Marshall
Dec. 5th 1816

I agree with Mr Marshall in his opinion above expressed

Francis Corbin
Jany 2d 1817.

I agree with the above gentlemen in their opinion respecting the late Mr Henry's likeness

7th Jany 1817 John Buchanan

THE SULLY PORTRAIT.—Attestations by Chief Justice John Marshall, Francis Corbin, and the Rev. John Buchanan, concerning the fidelity of the likeness.

The True Patrick Henry

By

George Morgan

Author of "John Littlejohn of J.," "The Issue," etc.

With Twenty-four Illustrations

Henry, the forest-born Demosthenes
Whose thunder shook the Philip of the seas.
—Byron: "The Age of Bronze."

Philadelphia & London
J. B. Lippincott Company

1907

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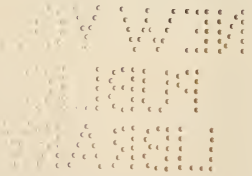

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PATRICK HENRY . . . . . *Frontispiece*

(From a painting by Thomas Sully. Henry is shown in a black suit, with white cravat and red velvet mantle. Sully worked from a miniature on ivory, painted by a French artist probably during the September Term of the United States Circuit Court, 1792, when Henry argued before that tribunal in Richmond. The miniature was made for Martha Syme, daughter of Colonel John Syme, and is now owned by John Fleming, of Richmond, Va. Attestations by Chief Justice Marshall, Francis Corbin, and the Rev. John Buchanan, as to the fidelity of the Sully portrait, appear opposite the reproduction of it used in this volume.)

POPE AND DABNEY FACSIMILES 20

(Colonel Nathaniel Pope collected some data for Wirt's "Life" of Henry. George Dabney was one of Henry's neighbors.)

THE REV. SAMUEL DAVIES 57

(Patrick Henry was powerfully influenced by the oratory of Samuel Davies, the "New Light" preacher, who became known as the "Apostle of Virginia," and who was subsequently President of Princeton. It was Davies who first proclaimed "that heroic youth, Colonel Washington," as one destined to render his country a great service. Henry was under the influence of Davies for twelve years. The reproduction is from a painting at Princeton University.)

HANOVER COURT-HOUSE 66

(It was in this building that Henry made his first great speech in the "Parsons' Cause," December 1, 1763. It was built of imposted brick in 1735. Seven arched ways lead out of the corridor upon which the court-room opens.)

JUDGE PETER LYONS 71

(Henry's opponent in the "Parsons' Cause." He was a leader of the Colonial bar and, after the Revolution, became distinguished as a jurist. His home was "Studley." From a painting in the Supreme Court room, State Capitol, Richmond.)

HENRY IN THE HOUSE OF BURGESSES 95

(From P. H. Rothermel's painting. The scene is idealized. Henry appears in powdered wig and flowing scarlet robe. Pendleton wears a sky-blue coat. Wythe is "quite too old-looking." Richard Henry Lee is "a little too cool for the occasion.")

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THE STAMP ACT RESOLUTIONS 100

(Facsimile of a memorandum in Patrick Henry's handwriting on back of Stamp Act Resolutions. This was the only historic document handed down by him to posterity. It was found enclosed with his will. "Reader, whoever thou art, remember this." Photographed from the original.)

THE AYLETT PORTRAIT OF HENRY 117

(From a picture long in the possession of the Aylett family. Now owned by Mrs. Thomas P. Bolling, of Richmond. It is not from life.)

THE CLAY BUST OF HENRY 122

(Executed by an Italian, who was travelling in Virginia in 1788. In 1859, T. W. Walter, of Washington, D.C., wrote: "The distinguished patriot sat for it at the request of Judge Tyler, the father of ex-President Tyler, Mr. Madison, Judge Marshall, and other friends, during the session of the great Virginia Convention that adopted the Constitution of the United States. It was considered a perfect likeness, and is looked upon as invaluable by his family and friends, with whom it has remained ever since, and from whom I have received this information." P. M. Henry wrote: "I have seen the terra-cotta likeness of my grandfather, Patrick Henry, alluded to by Mr. Walter in the foregoing letter, and take pleasure in saying that he has given a correct history of it. I have seen the bronze copy of it, which has since been executed by Messrs. Warner, Miskey, and Merrill, and have no hesitation in saying that it is an exact copy of the original bust." Clay bust now owned by Mrs. John M. Preston, Seven-Mile Ford, Va.)

RALEIGH TAVERN 138

(In this Williamsburg tavern met the patriot Burgesses when the House was dissolved by the King's agents. Many spirited scenes were enacted here. Henry led the opposition. It was the Faneuil Hall of Virginia. From an old print.)

OLD CAPITOL AT WILLIAMSBURG, VIRGINIA. 138

("The Heart of the Rebellion"—meaning the Revolution. On the eve of its outbreak, the famous "Assembly" in honor of Lady Dunmore was given in the hall of the House. At Jamestown three "State Houses" were burned; at Williamsburg, two Capitols—one in 1746, the other in 1832. Traced in masonry on the sward is a great "H," showing the site.)

THOMAS CRAWFORD'S STATUE OF HENRY 191

(This is one of the five bronze figures which surround the equestrian statue of General Washington, in the Capitol Grounds, Richmond. Henry faces south. He is in the attitude taken by him at the climax of his greatest oration—"Give me Liberty!")

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ELIZABETH HENRY, PATRICK'S FEMININE *ALTER EGO* . . . 236

(Born July 10, 1749. She married General William Campbell, hero of King's Mountain, and by him had two children—one the beautiful Sarah Buchanan, wife of General Francis Preston and mother of a distinguished line of men and women. General Campbell died at "Rocky Mills," Colonel John Syme's seat in Hanover, August 22, 1781. His widow married General William Russell, of the Continental Army, May 29, 1782, and by him had four children. She lived at Aspenvale and the Salt-works, now Saltville. As "Madam Russell" she was of celebrity throughout Virginia. She manumitted her slaves and gave up her lands to her children. She kept a pulpit in her dwelling for itinerant Methodist preachers. She was tall; and when little Mr. Madison, then a candidate for the Presidency, visited her, she placed a hand on his head, pressed him to his knees, and prayed for him as the coming Chief Executive. "I have heard all the first orators of America," said Madison, "but I have never heard any eloquence as great as that prayer of Mrs. Russell on the occasion of my visit to her." She died March 18, 1825. There is an idealized portrait of her in the memorial window of the Methodist church at Saltville.)

"SCOTCHTOWN" 239

(This curious old dwelling, owned and occupied by Patrick Henry, was also the girlhood home of Dolly Payne, who became the wife of President Madison.)

DOROTHEA SPOTSWOOD 319

(Daughter of Governor Alexander Spotswood, wife of Nathaniel West Dandridge, and mother-in-law of Patrick Henry. She was a noble dame. The photograph is from a painting. Her picture has never before been published.)

"SALISBURY" 323

(Here Henry lived during his last two terms as Governor of Virginia. The house has a wide hallway, and a small porch on each of its four sides. It stands two miles west of Midlothian, Chesterfield County, Va., and thirteen miles west of Richmond. The estate is large.)

"ATTEMPT AT THE FEATURES" OF PATRICK HENRY . . . 386

(This is a tracing by Thomas Crawford, the sculptor, from B. H. Latrobe's sketch-book. Latrobe's sketches were made in the Federal Court at Richmond. Henry had then fought all his battles, and was about to retire.)

OLD RED HILL, CHARLOTTE COUNTY, VIRGINIA. 397

(The smaller building was Patrick Henry's house. It was his last home. He added only the shed at the east end, that he might hear the patter of rain on a roof. The two-story part was erected by his son, Colonel John Henry, who lived at Red Hill many years.)

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(The house has been beautifully remodeled on Colonial lines. The view is southward, down the Valley of the Staunton, to the Halifax Hills. Like Mount Vernon, Red Hill is a Mecca for patriotic Americans.)

DOROTHEA SPOTSWOOD HENRY 402

(Daughter of Patrick Henry and his second wife, Dorothea Dandridge. Sharples, the English artist, made a picture of this beautiful girl when she was eighteen, and the reproduction, here presented, is from his painting.)

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(Now at Red Hill.)

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(With entries in Patrick Henry's handwriting of last marriage and birth-dates of children.)

PATRICK HENRY'S CHAIR 420

(In his last illness he felt less pain when sitting than when reclining. It was in this chair that he died.)

PATRICK HENRY'S DESK 420

(This stands in the same corner at Red Hill where it stood when Patrick Henry used it. In it he kept his letters from General Washington, Richard Henry Lee, and others; likewise his business papers. Here are still bestowed his personal belongings, keepsakes, etc., including a penknife which his uncle, the Rev. Patrick Henry, gave him, and which he carried in his pocket till the day of his death.)

GRAVES OF PATRICK HENRY AND WIFE AT RED HILL . . 428

(The graveyard at Red Hill adjoins the garden on the eastern side. It is fifty feet square, and is enclosed by a boxwood hedge. Plain slabs cover the graves of Patrick Henry and Dorothea, his wife.)

MEREDITH AND ROANE FACSIMILES 429

(Passages from the memoranda of Colonel Samuel Meredith, Henry's brother-in-law, and Judge Spencer Roane, Henry's son-in-law.)

Patrick Henry, Dates and Data

Born, "Studley," Hanover County, Virginia.... May 29, 1736
Clerk in store 1751
Storekeeper 1752
Married Sarah Shelton 1754
Farmer and storekeeper 1754–59
Admitted to bar 1760
First great speech, "Parsons' Cause"..... 1763
Moved to "Roundabout," Louisa County..... 1764
Second great speech, Stamp Act .....May 29, 1765
Return to Hanover, "Scotchtown"..... 1767
At bar of General Court 1769
Popular leader and Burgess 1765–74
In Continental Congress 1774–75
"Liberty or Death" oration ..... March 23, 1775
Leader of "Gunpowder Expedition"..... 1775
Colonel and Virginia Commander-in-Chief 1775
Death of first wife 1775
Champion of Independence 1776
Champion of Religious Liberty 1776
Governor (first, second, and third terms)..... 1776–79
Married Dorothea Dandridge 1777
Moved to "Leatherwood," Henry County..... 1779
Leader of the Assembly 1779–84
Governor (fourth and fifth terms)..... 1785–86
Moved to Prince Edward County..... 1786
Returned to the law 1788
Opposed the Federal Constitution 1788
Argued British Debt Case 1791-93
Retired, Red Hill 1794
Declined United States Senatorship..... 1794
" Mission to Spain 1794
" Secretaryship of State 1795
" Chief-Justiceship 1796
" Governorship 1796
" Mission to France 1799
Last public appearance ..... March 4, 1799
Elected to the Assembly 1799
Died at Red Hill, aged 63 ..... June 6, 1799
Buried at Red Hill, Charlotte County, Virginia.

Acknowledgments

Kindness at the hands of many good people, in Virginia and elsewhere, is well remembered by the writer in connection with his work of gathering and verifying data for this Life of Patrick Henry. Thanks for courtesies are due to Mrs. Susan Bullitt Dixon, of New York; Dr. Lyon G. Tyler, of Williamsburg, Va.; Robert A. Brock, of Richmond, and William G. Stanard, Secretary of the Virginia Historical Society. But especially is Mrs. Elizabeth Henry Lyons entitled to the grateful acknowledgments of the author for placing at his service the Henry material collected at Red Hill during the Nineteenth Century. This material includes not only the original papers prepared for William Wirt by various acquaintances of Patrick Henry, but much pertinent matter that has come to light since William Wirt's day. Mrs. Lyons also aided in selecting the illustrations used.

The True Patrick Henry

I

INTRODUCTION

VIRGINIA this year rounds out her three centuries. Dividing this stretch of time in half, we are at the period when she gave to the world her most spirited and powerful generation of men. Washington was among these; and one of the foremost, also, was Patrick Henry. Why and how it was that, being born under the flag of Great Britain, they elected to live and die under another, everybody knows; but to gain a true understanding of them it is necessary to reach back into the comparatively unilluminated colonial era. Therefore, if the reader will put his finger at the chronological spot suggested, we shall have a useful starting-point for this inquiry.

A question at once arises: Why is it so hard to get a white light on the old colonial life in the Chesapeake region? There is no such difficulty with respect to New England, or New York, or Pennsylvania. The New England genius, to be sure, is strong, assertive, tenacious of its past; cleaving to its tutelary ideals and idols. In that part of America, the colonists settled in congregations; a provincial spirit soon developed, and the brisk sons of Mayflower stock found ample matter for story in the hardships overcome by their immigrant ancestors. In New York and in Pennsylvania great towns grew up; so that in each of those regions local

history has had a central and tangible something to revolve about. But in vain did the Virginia colonists seek to establish large towns. There was "James City," which ruralized itself and ended in being James City County. Charles City County is a like instance. Throughout the tidewater country, families, as a rule, dwelt in sequestration. The laws of the people, their commerce, outlook upon the world, domestic ways, habits of thought, occupations, dress—all were so different from ours in this age as to hinder us from a sympathetic, close approach.

Yet this difference does not of itself account for the difficulty of getting a grasp on the generation preceding that of Patrick Henry. Not only is her historical period longer than that of any other Anglo-American region, but Virginia has been the victim of much iconoclasm and some ill-will. Iconoclasts, for example, have tried to break Captain John Smith's head; which they would have been slow to attempt had that lively man of action been still in the flesh. They have tried to kidnap Pocahontas from the book of chronicles and lock her in the cave of myths. They have attacked the long-accepted idea that what is called the "cavalier" element entered into and colored colonial life on the banks of the James, the York, the Rappahannock, and the Potomac. There was a time when many Virginians themselves saw fit to discourage the cavalier idea. Hugh Blair Grigsby, in 1855, though admitting that some of the "butterflies of the British aristocracy" had fluttered across the water, scornfully declared that the cavalier "was essentially a slave—a compound slave, a slave to the king and a slave to the church; he was the last man in the world from whom any great elemental principle of liberty and law could come." Beverley Tucker said: "It is deemed arrogant to remember one's ancestors;" and it is a picturesque

fact that General John Bull Davidson Smith of Hackwood Park, in the fervor of his democracy, burned all the papers that traced his blood back to aristocratic fountain-heads. There were more burnings of a different sort during the Civil War, when many an ancient garret suffered sack and despoliation, to the detriment of history. But the Virginiaphobists of the bitter sectional days, and the iconoclasts who sought to destroy the romantic elements of Hakluyt's "western planting time," have alike been put to shame. The conclusion of the best scholarship of the day is that Captain John, the "Admiral," was really an example of what a man "may be, may do, and may endure." As for Pocahontas, she steps upon her pedestal again. The cavalier, so called, is also rehabilitated; though not without common-sense reservations. He was of less consequence than one of the two existing schools of Virginia writers would make him out. Of these schools, the first includes those who seek to preserve and refine the old idealities, and the other is composed of critical students who are willing to accept a fact, whether flattering or otherwise, if its verity be beyond dispute. Research is at odds with Romance. The unimaginative delver in court records and in the colonial archives looks askance upon the work of writers who set forth Virginia scenes as they would like them to appear, not as they know them past peradventure to have been. Thus it happens that the skies of history are not always clear when one attempts to realize and visualize the early Virginians.*

*If Alexander Brown's powerful contention should be established, Virginia history would be illumined from the beginning. This contention is that Bacon's friend Sir Edwin Sandys, Shakespeare's friend Henry Wriothesley, third Earl of Southampton, and other zealous and courageous forerunners of the Cromwellian order strove to establish a free England on these shores; that James I., at heart a despot, cunningly set to it by Court Gondomar of Spain, sought by fair means or foul

Topographically, their spacious tidewater region is easy to grasp. Four rivers, flowing east by south, come out of the Blue Ridge; traverse a fertile piedmont; take their fall and pass on to the bay, broadening as they go. On the piney shores were the plantations, reaching back for miles. Some of the houses were brick, some frame—with green lawns and much life about. English ships came to the landings, and black men rolled hogsheads of tobacco on board. These and similar things by the score are well enough known. We know, too, that there was a downright sun-sparkle on the rivers; that the Eighteenth Century mocking-

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to circumvent the reformers; and that the King and Court party, overcoming the Patriot party, proceeded to confiscate and destroy all documents squinting at constitutionalism, thus corrupting and falsifying history to their own ends. Brown would revolutionize Virginia history. His premises once admitted, the foundations of the colonial writers, Berkeley and Keith, crack under them; and even Stith, "the accurate," slightly suffers. Virginia, born with a soul, passes down the torch flared by the rebel Bacon in 1676 and the rebel Patrick Henry in 1776. The research of Edward Duffield Neill and the studies of Philip Alexander Bruce have been thorough, but Brown writes of the Seventeenth Century as if he had lived in it. He looks upon the books of John Smith and Samuel Purchas as *ex parte* records—Court documents. His extreme anti-Smith bias is unfortunate. It was generated during the long "John Smith Controversy," begun by Charles Deane in 1860. But his Smith vagaries are of slight moment in comparison with the clear moral perspective that would result should his main proposition be sustained. His estimate of the work of Sandys, Southampton, and the Ferrars has high support. See John Fiske's "Old Virginia and her Neighbors." See especially "The Records of the Virginia Company of London—The Court Book from the manuscript in the Library of Congress," with an introduction by Susan Myra Kingsbury. The manuscript Court Book, 2 vols., 741 folio pages, was attested for the Earl of Southampton; bought by Col. Byrd; used by Stith, and studied by Patrick Henry's friend Richard Bland.

birds actually sang, and that the people were all alive from the Potomac on the north to the Nottoway and Roanoke far below. But direct documentary evidence is so much more to the point than either generalization or particularization that it is well to bring forward a contemporary voucher as to the human warmth and liveliness, not to say friskiness, of the time we are considering. When Washington was a boy five years old, this notice appeared in the *Virginia Gazette,* published at Williamsburg:

"We have advice from Hanover County, that on Saint Andrew's Day, there are to be Horse-Races and several other Diversions for the Entertainment of the Gentlemen and Ladies at the Old Field near Captain John Bickerton's in that county (if permitted by the Hon. Wm. Byrd, esquire, Proprietor of the said Land,) the substance of which is as follows, viz.:

"It is proposed that 20 Horses or Mares do run round a three miles Course for a Prize of Five Pounds. . . .

"That a Hat of the value of 20 s. be cudgelled for, and that after the first challenge made, the Drums are to beat every Quarter of an Hour for three Challenges round the ring, and none to play with their left hand.

"That a Violin be played for by 20 Fiddlers; no person to have the liberty of playing unless he bring a fiddle with him. After the prize is won, they are *all to play together and each a different tune,* and to be treated by the company.

"That 12 Boys, of 12 years of age, do run 112 yards, for a Hat of the cost of 12 shillings.

"That a Flag be flying on said Day 30 feet high.

"That a handsome Entertainment be provided for the subscribers and their wives; and such of them as are not so happy as to have wives, may treat any other lady.

"That Drums, Trumpets, Hautboys, etc., be provided, to play at said Entertainment.

"That after Dinner, the Royal Health, His Honor the Governor's, etc., are to be drunk.

"That a Quire of Ballads be sung for by a number of Songsters, all of them to have Liquor sufficient to clear their Wind-Pipes.

"That a pair of Silver Buckles be wrestled for by a number of brisk young men.

"That a pair of handsome Shoes be danced for.
"That a pair of handsome Silk Stockings of one Pistole value be given to the handsomest young Country Maid that appears in the field. With many other Whimsical and Comical Diversions, too numerous to mention. . . ."

There is a reminder of old England in all this. One may see in fancy the day and the people and the scene. It is such a scene as might come bodily out of Scott, Robin Hood and all; and it suggests the Shakespearean world as well. When we reflect upon the possible antics of those twenty merry fiddlers of Hanover, we are borne back to that particular portion of Shakespeare's world which has to do with merry-making on the green and with the impounding of a certain blithe, elusive spirit that droops and dies when caged by anybody but the great Englishman himself. Long had he been gone when this comedy was enacted in Captain John Bickerton's "Old Field," but if he had been alive and had put the fiddlers in a play as he did "Snout," "Quince," and "Bottom," the chances are they would have fiddled on through the ages, in spite of the coming of Tarleton's Dragoons, and in spite of the wrestling of enormous armies to and fro during the later years when terrible things happened in Patrick Henry's Hanover. For, a few miles to the south, Richmond was about to rise; and much of the ground in this vicinity was to become battle-ground.

Just as the sportive bent of these transplanted Britons reminds us of Shakespeare, so the land-owner mentioned recalls the author of "Henry Esmond" and "The Virginians." "If permitted by the Hon. Wm. Byrd, esquire, Proprietor of the said Land," notes the *Gazette*. Colonel William Byrd, son, namesake, and heir of the founder of "Westover" on the James, was a man after Thackeray's own heart. He was a character ready to step into a novel, and it is a pity that

Thackeray missed him. Without changing a button or a buckle or a hair, Colonel Byrd, founder of Richmond, would have passed from "preface" to "finis," enlivening the book by his wit, lending it charm by his grace, humanizing it by his regard for the welfare of his fellow-creatures, and giving it throughout the texture and stamp of sound common-sense. Educated in England, called to the bar in the Middle Temple, Receiver-General of His Majesty's revenues and President of the Council of the Colony, this lord of a hundred thousand acres was not spoiled by his mastery of many slaves, by his celebrity as the possessor of the greatest private library in the colonies, by his comeliness of person, or by his pride as the father of the beautiful Evelyn Byrd. On the contrary, he took the humorist's view of life and made a joy of it and a joke, and doubtless laughed at the twenty fiddlers fiddling in the "Old Field" in Hanover. He should rank as one of the earliest of the American literary lights, and would unquestionably do so on a sharp and comprehensive readjustment of honors. "The Quakers," he wrote, "flocked to this country in shoals, being averse to go to Heaven the same way with the Bishops." Again we quote him: "I reached Shockoe's (Richmond) before two o'clock, and crossed the river to the mills. I had the grief to find them both stand as still, for want of water, as a dead woman's tongue for want of breath." But it is a Hanover County passage, in his "Progress to the Mines," that chiefly concerns us here. Thomas Tinsley, one of his overseers, was with him.

"In the evening [October 7, 1732] Tinsley conducted me to Mrs. Syme's house, where I intended to take up my quarters. This lady, at first suspecting I was some lover, put on a gravity which becomes a weed, but as soon as she learned who I was, brightened up into an unusual cheerfulness and serenity. She was a portly, handsome dame of the family of Esau, and seemed

not to pine too much for the death of her husband, who was of the family of the Saracens. He left a son by her, who has all the strong features of his sire, not softened in the least by any of hers.

"This widow is a person of lively and cheerful conversation, with much less reserve than most of her countrywomen. It becomes her well, and sets off her other agreeable qualities to advantage. We tossed off a bottle of port, which we relished with a broiled chicken."

On the next day, he adds:

"I moistened my clay with a quart of milk and tea, which I found altogether as great a help to discourse as the juice of the grape. The courteous widow invited me to rest myself there that good day, and go to church with her, but I excused myself by telling her she would certainly spoil my devotions. Then she civilly entreated me to make her house my home whenever I visited my plantations, which made me bow low and thank her very kindly."

Thus, at the age of fifty-eight, appeared the gallant and sprightly Colonel Byrd, "the black swan of his family," whose portrait is freely sketched here for a double reason—he stands for the aristocratic Virginian of the period, and, in the person of the "portly, handsome dame," he has introduced us to the woman who, three and a half years later, became the mother of Patrick Henry.

That there was appreciation of widows in those parts at that day, is clear enough to any one who dips into Virginia genealogy. Such a one assures us: "It was not an unusual thing for a later husband to submit for probate the will of his predecessor." As in Biblical times, families were large. Governor Page's children numbered twenty. General Robert E. Lee's grandfather in the maternal line, Colonel Charles Carter of "Shirley," one of Washington's friends and correspondents, was the father of twenty-three. "King"

Carter's father, Colonel John Carter of Corotoman, was five times a bridegroom; and in the same family there was a lady who, like the "Wife of Bath" in the "Canterbury Tales," was five times a bride—five times a widow.

These facts would be satisfying to those who enjoy the discovery of piquancies in the colonial records, if they did not in themselves presuppose a sorrowful side. To realize this sad side, one has but to look upon the portraits of handsome men in scarlet coats and great white perukes and lovely ladies in like elegance of raiment who passed from earth before their time. Swamps and tuckahoe marshes under the dog-day sun bred into the air a something that made both widows and widowers. Of course there were men of sense who practised medicine; but Dr. Slop also rode about in his gig, and, worse still, Dr. Phlebotomy, to whose zealous attentions the death of no less a man than General Washington is clearly traceable. But whether the lowland miasma or the doctors be to blame, the widow became a force and a factor in colonial economics. Like tobacco, she was sure to be talked about when court met. The wink, the mischievous remark, the raillery of unmarried men, had a meaning that was well understood. If the widow were rich, if she were comely, if she were of repute for charm of character or domestic skill, she was sure of a suitor from near or far. Frequently she united famous families and great estates. Bantering gallantly as he journalizes, Byrd accurately takes the tone of his time in regard to her. If, as is most likely, he read the passage in "Tristram Shandy" wherein the Widow Wadman causes Uncle Toby to do her the service of peeking into her eye, we may be sure he paid to Laurence Sterne the compliment of a hearty Westover laugh.

It is fair to assume that the discreet Mrs. Syme

(pronounced "Sim") had the best of reasons for giving her supposed suitor a guarded greeting. Bereft the year before of a good mate in the person of Colonel John Syme,* a member from Hanover in the House of Burgesses, she had already chosen her path out of widowhood. He who, within a few months, was to lead her thence lived under her own roof —a Scotchman, a scholar, a man of character; and not only so, but a friend of the lamented master of "Studley." But it is in order to keep our Scotch scholar in abeyance for a few moments until we shall have said something about this "Studley" place —a frame structure, backed by cool spring-houses on a minty slope and fronted by spacious and beautiful grounds. The approach was along an avenue bordered by double rows of locust trees. The plantation is on the Tottipottimoy, made famous by Captain Smith and more famous still by Samuel Butler in "Hudibras." Butler, declaring that

> "Justice gives sentence many times
> On one man for another's crimes,"

proceeds to find his proof in the case of a colonial cobbler:

> "This precious brother having slain
> In times of peace an Indian,
> Not out of malice, but mere zeal
> Because he was an infidel,
> The mighty Tottipottimoy
> Sent to our elders an envoy
> Complaining sorely of the breach
> Of league . . . "

* In 1731, the Widow Syme "petitioned the Council for pay for the services of her husband, Colonel Syme, who died while laying out the boundaries of Hanover and Louisa." Colonel Syme was a Scotch immigrant.

But the wise "elders" were loath to hang the useful and pious preacher-cobbler; so they

> "Resolved to spare him; yet to do
> The Indian Hoghan Moghan, too,
> Impartial justice, in his stead did
> Hang an old weaver that was bed-rid."

"Hottitottipottimoy," Grant's soldiers called the stream, because they found it hot in the bordering bottom-lands.

The widow of "Studley," Sarah Winston Syme, was the daughter of Isaac Winston and Mary Dabney. Great is genealogy—especially as it enables one to puncture the bubbles of such as seek to put borrowed blue into good red blood. Within a few months past there was an attempt of the sort to outrage plain Patrick Henry—to set up a king as his ancestor. In getting at his genealogical tap-root, we shall see what nonsense such a notion is, and we shall dissipate at least one popular error concerning him. Had he Irish blood in his veins? Certainly he should have had, considering his Christian name, native eloquence, combative spirit, and whole-souled readiness to risk his all as a rebel. Yet, if there were an Irish trickle in his heart, it came percolating to him by way of some forebear whose name and race were hidden in the merging. Through Mary Dabney he got good Huguenot blood. Her people belonged to a congregation of refugees who colonized at Manakin, on the upper James, where their leader, the clergyman Claude Philippe de Richebourg, found the Monacan Indians less ferocious by far than had been his kinsmen and neighbors in the Christian kingdom of France. As for the Hanover Winstons, their old home was in Yorkshire, England; and the immigrants had reached Virginia at a much later date than the founders of the so-called "Tuckahoe" families. Hence the Winstons did not belong to the

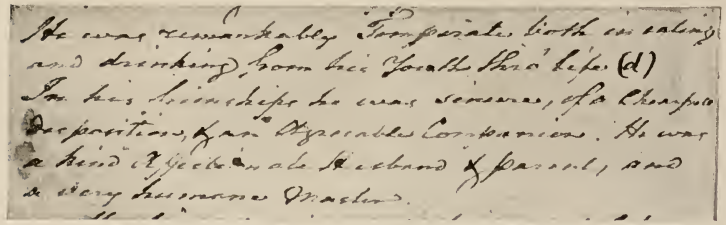
cavalier aristocracy; they were small landholders—sturdy men all. Dolly Madison was Isaac Winston's great-granddaughter, and his descendants are at this day well abroad in many of the States. But it is Isaac's son William, or "Langloo," whose portrait must now be drawn. He was a fresh type of Virginian—not a tidewater man, but a lover of the hills and the wilderness. At his hunting quarter by the mountains, he camped with the Indians; dressed as one; shot deer. In a word, he was a "buckskin"—a "long knife," like Christopher Gist.

Nathaniel Pope,* a gallant light horseman of the Revolution, wrote this about him:

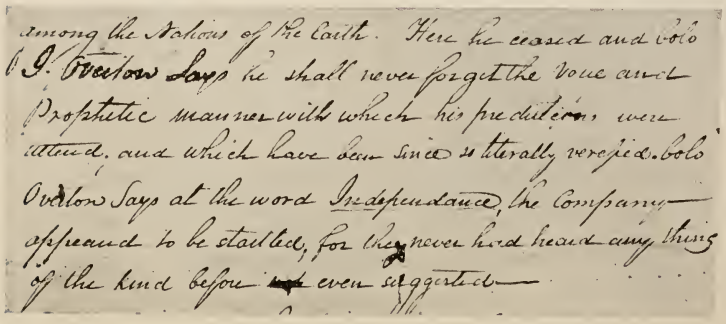
"I have often heard my father, who was intimately acquainted with William Winston, say that he was the greatest orator whom he had ever heard, Patrick Henry excepted; that during the last French and Indian War, and soon after Braddock's defeat, when the militia were marched to the frontiers of Virginia against the enemy, this William Winston was a lieutenant of a company; that the men were indifferently clothed, without tents, and exposed to the rigour and inclemency of the weather, discovered great aversion to the service, and were anxious and even clamorous to return to their families; when this same William Winston, mounting a stump (the common rostrum, you know, of the field orator of Virginia), addressed them with such keenness of invective, and declaimed with such force of eloquence on liberty and patriotism, that when he concluded the general cry was: 'Let us march on! Lead us against the enemy!' and they were now willing, nay anxious, to encounter all those difficulties and dangers which, but a few moments before, had almost produced a mutiny."

Upon reading this, he who believes in transmitted tendencies is apt to say: "Now we know where our

* This Nathaniel Pope, of "Chilton," Hanover County, was mortally wounded in a duel, near Taylorsville; "and died smoking his pipe, having requested his son not to prosecute the matter."



(A bit from the Wirt originals—George Dabney's memorandum of Henry.)



(Facsimile of a part of Colonel Nathaniel Pope's Henry manuscript.)

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Foundations.

Patrick got his trick of tongue;" but let us suspend judgment and pass for a few moments across the water into the presence of Henry, Lord Brougham, and hear what he has to urge with respect to the origin of his own oratorical fire. Oddly enough, at the very outset of Brougham's "Life and Times" we meet with another Widow Syme, his grandmother, sister to the Scottish historian Robertson. Imagine this "Mally" Robertson, a beauty, sitting in a garden on a summer day; her surprise when a swarm of honey-bees clustered in masses upon her head, neck, and shoulders; her sensations, impelling to terror; her self-control, enabling her to remain motionless, and her relief when they once more took wing. At her house in Edinburgh, when she had become the Widow Syme, there one day appeared the heir of Brougham, grieving because of the sudden death, on her wedding eve, of his cousin and bride-elect, Mary Whelpdale, "the last of a perfectly pure Saxon race." But the distracted lover married Eleanor, daughter of the Widow Syme; and Lord Brougham, felicitating himself with naïve egotism upon his escape from Saxon mediocrity, concludes: "I, at least, owe much to the Celtic blood which my mother brought from the clans of Struan and Kinloch-Moidart."

Now Jean Robertson, an aunt of "Mally" Robertson Syme, married Alexander Henry. Their son John, born in Aberdeen, became the second husband of the mistress of "Studley" in Hanover and was the father of our Patrick.

So here is a pretty problem in heredity: Did the American orator inherit his peculiar genius by way of the Winston line, or did he get it through the Robertson strain, which put such vehemence and power into the tongue of Lord Brougham as to enable him to destroy the slave-trade of Great Britain? Or may

there not have been a blending of qualities inherited from both? At any rate, we here find the Celt, if not the Irishman, in Patrick Henry.

For some reason, John Henry does not pulsate under the biographer's hand. Not that he is shadowy—the outlines of his forty years in Hanover are as clear as need be. We have assurance that he was county surveyor, colonel of militia, presiding magistrate, adherent of the Anglican Church, and a faithful supporter of the regal government. "Respectable," "plain," "solid" —all are used in describing him. He "knew his Horace better than his Bible"; and he must have known something about the Bible too, for when he got into an argument on the subject of eternal punishment, he turned to his Greek Testament and disputed from the depths of that. He made a map of Virginia. He brought up his two sons and seven daughters * in the way they should go. He did much besides; yet his wig is never sufficiently in disarray to satisfy a seeker after a strong portrait. When George Whitefield, the pioneer Methodist preacher and revivalist, whom Chesterfield pronounced the most eloquent man he had ever heard, was in Virginia, he saw a little girl staring at him as if he were unreal to her. Thereupon the kind man, who had been through much, stooped, lifted his wig, and,

* Genealogists show that more than seventy substantial Southern families are in cousinship through the ramifications of the John and Sarah stock. They are spread wide over Dixieland from old Roanoke to the Rockies. General Joseph E. Johnston was a descendant. So was the wife of General Wade Hampton. R. A. Brock says: "In vigor of intellect in its various exemplifications, in true manhood, and in illustrious and material service in the one sex, and in the typical exhibition of womanly graces and virtues characteristic of Virginia and the South in the other, no citizen of the Old Dominion within its annals or traditions has been more honored in his descendants, to the present generation, than John Henry."

pointing to a gash in his scalp, said: "See! There is where the brick-bat hit me." We may not lift the wig of John Henry; but later in these pages we shall find him in a dramatic situation, and may even now behold him in this bit of a sketch by Nathaniel Pope:

"There are those yet alive who have seen him at the head of his regiment, celebrating the birthday of George III. with as much enthusiasm as his son Patrick afterward displayed in resisting the encroachments of that monarch."

John Burk made a curious error in his "History of Virginia." Misled by our Patrick's custom of writing "junior" after his name, Burk said that Patrick was the son of Patrick. The "senior" in the case was Colonel John Henry's brother Patrick,* also bred in the old university town of Aberdeen, who, twelve days after his namesake's birth, became rector of St. Paul's parish, Hanover. The glebe tract of "Mount Pleasant" was near "Mount Brilliant"—later known as "The Retreat"—whither Colonel John Henry soon removed; and the two lived in tender attachment and close brotherhood for the rest of their days. Each spoke with the Scotch accent. Colonel John was amiable; the reverend Patrick was irascible.

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* Patrick was a common name in Scotland. From that country, for instance, came Colonel Patrick Ferguson, the best sabreur in the British army during the Revolution. He was killed at King's Mountain.

II

BY NO MEANS A MODEL BOY

As these pages multiply, it will be remarked that May and June were peculiarly eventful months in the life of Patrick Henry. He was born at "Studley," sixteen miles from Richmond, on the 29th of May, 1736. When he was a few months old, his parents removed to "Mount Brilliant" farm, twenty-two miles from Richmond. Near the house ran the South Anna River. Rocky Mills, not far away, gave a name to the neighborhood. Forests then covered the country.

All of Sarah Syme Henry's boys were born at "Studley"—John Syme, William Henry, and Patrick Henry. At "Mount Brilliant" so many daughters were born to her that she must have feared lest she should use up all the good old feminine names—Jane, Sarah, Susannah, Mary, Anne, Elizabeth, and Lucy.

There were no free schools in Hanover; and the pay schools were poor. Anybody could teach. One merely put up his sign, "John Jones, Teacher"; placed some benches in a room; cut a hickory switch; and all was ready for the torture and the flogging. Judge John Tyler used to say of a teacher of the type: "It was a wonder he did not whip all the senses out of his scholars." A few, however, were efficient. Such, for instance, was Devereux Jarratt, who became a celebrated clergyman. He was of a stratum of society below the Winstons, Dabneys, and Henrys, and far below the "Tuckahoes." "A periwig in those days," says Jarratt, "was a distinguishing badge of the gentlefolk, and when I saw a man with a wig on, riding the road near our house, it would so alarm my fears and give me such

a disagreeable feeling that I dare say I would run off as for my life." One of his boyhood duties was to take care of game-cocks and get them ready for a fight. Racing, dancing, and card-playing were common Sunday amusements. Jarratt taught in Hanover, but probably did not have our Patrick as a pupil. That Patrick attended "a common English school" until he was ten years old we learn from the memorandum of Colonel Samuel Meredith,* who was older by four years, who lived but four miles away, and who married Patrick's sister Jane. Meredith adds: "He never went to any other school, public or private, but remained with his father, who was his only tutor." He learned some Latin and a little Greek, and got a good grounding in mathematics. At fifteen he was "well versed in both ancient and modern history." He was "quiet." He was "thoughtful," "mild," "benevolent," "humane." He was fond of his gun. Being housed, when about twelve, because of a broken collar-bone, he learned to play on the flute. He could handle the fiddle-bow. Careless as to outside garb, he "was unusually attentive in having clean linen and stockings." He loved his sisters, and was a dutiful son.

Now, if this be not a flattering leaf from the family album, where did tradition and William Wirt find their good-for-nothing boy Patrick? In preparing his eulogistic "Life"—a labor of love for many years—what motive could Wirt have had in writing his hero down as an idler and a truant? This is the way Wirt treats the boy:

"He was too idle to gain any solid advantages from the opportunities which were thrown in his way. He was passionately addicted to the sports of the field, and could not support the confinement and toil which education required. Hence,

* See Appendix A for Meredith's detailed statement.

instead of system or any semblance of regularity in his studies, his efforts were always desultory, and became more and more rare, until at length, when the hour of his school exercises arrived, Patrick was scarcely ever to be found. He was in the forest with his gun, or over the brook with his angle-rod; and, in these frivolous occupations, when not controlled by the authority of his father (which was rarely exercised) he would, it is said, spend whole days and weeks, with an appetite rather whetted than cloyed by enjoyment. His school-fellows, having observed his growing passion for these amusements, and having remarked that its progress was not checked either by the want of companions or the want of success, have frequently watched his movements to discover, if they could, the secret source of that delight which they seemed to afford him. But they made no discovery which led them to any other conclusion than (to use their own expression) 'that he loved idleness for its own sake.'"

Again does Mr. Wirt hold up the lad to shame:

"His person is represented as having been coarse, his manners uncommonly awkward, his dress slovenly, his conversation very plain, his aversion to study invincible, and his faculties almost entirely benumbed by indolence. No persuasion could bring him to read or work. On the contrary, he ran wild in the forest, like one of the aborigines of the country, and divided his life between the dissipation and uproar of the chase and the languor of inaction."

A little more and Patrick would have been a Pamunkey, indeed! On his hunting trips he must have met some of the Pamunkey tribe, for, as Thomas Jefferson tells us, they lived just down the river, on land "so encompassed by water that a gate shuts in the whole."

But Colonel Meredith's character of the boy stands strong against William Wirt's fanciful estimate. The manuscript narrative of Meredith, as taken down by Judge William H. Cabell and sent to Wirt, is before us at this moment. Wirt must have had it in his possession when he wrote his book. Why, then, did he not weave the Meredith thread into the texture of

his memoir? It may be that he had talked with Hanover people who had convinced him that the true Patrick was a different boy from the one depicted in the Meredith notes; but the probability is that Wirt could not resist his impulse towards "artistic romancing." He was confessedly a lover of the picturesque. What a laughing-stock Parson Weems had made of himself by drawing young George Washington as a human paragon! It would not do to deify Patrick Henry so. On the contrary, the man would be better liked if given a touch of human frailty. The proportions must be preserved. Later eulogy would be more effective if it should be prefaced by harmless detraction. Here present was the great drama of liberty, and a renowned actor would soon leap upon the boards; why not begin with a shock, a surprise, a justifiable belittlement? Certainly there was opportunity enough for an original and striking picture of the great orator's Hanover life. "Yes," said the old Virginians; "that was his reputation—he was lazy in his youth—he was a genius;" and Wirt half believed them. In spite of the Meredith contradiction, it suited him to believe them. So, with a polite acknowledgment of its receipt, he passed over the letter forwarded by Judge Cabell because its colors failed to blend with his own, and then he gave so positive a picture of young Patrick's indolence that it lingers in the public mind to-day. "At fifteen," writes A. G. Bradley, echoing Wirt, "he [Patrick] was a wastrel and an idler, a reputed hater of books and work, a loud-tongued joker at the village tavern."

Wirt follows up his strictures with a passage amusingly characteristic of the times in which he wrote:

"Let not the youthful reader, however, deduce from the example of Mr. Henry an argument in favor of indolence and the contempt of study. Let him remember that the powers which surmounted the disadvantage of those early habits were

such as very rarely appear upon this earth. Let him remember, too, how long the genius, even of Mr. Henry, was kept down and hidden from the public view, by the sorcery of those pernicious habits; through what years of poverty and wretchedness they doomed him to struggle; and let him remember that at length, when in the zenith of his glory, Mr. Henry himself had frequent occasions to deplore the consequences of his early neglect of literature, and to bewail 'the ghosts of his departed hours.'"

This is moralizing in the true early Nineteenth Century style. Contrast Parson Weems' goody-goody stories and William Wirt's moralizing with the treatment of boy-nature by a Meredith who is unconnected with the old-time Virginia Meredith, as well as with America itself—George Meredith, author of "The Ordeal of Richard Feverel." There are no apologies in the books of this latter-day analyst of the heart of youth. The truth as told by George Meredith about boys is not softened in the least. It is painful in its exactitude. A boy may be both brute and angel. He has in him the essence of nobility, but also he is a born barbarian. Loving his dog, he will caress the creature and make much of him; but he will wantonly pull that dog's tail before he is through. George Meredith, who knows the boy by heart, would have gloried in the lad of the Hanover forests.

Not that Wirt was lacking in fondness for boys. It was not every dignitary who would take off his clothes, as he did while Attorney-General of the United States, plunge into the swimming-pool at St. John's College, Annapolis, and engage the students in a "battle of splash" till his radiant face and curly white head ducked in token of defeat. Indeed, after what has been said in dispraise of William Wirt,* one pauses

* Wirt was a wit, a conversationalist, a maker of impromptu epigrams. As a young man, he was gay. He married a daugh-

to think of the man. His whole life comes up; and the slight, but necessary, strictures here made take on a paltry aspect. They seem tantamount to a calumny upon as charming a character as could be found in American letters or politics. One feels it a pity even to task him for his fault of floridity—for writing a "splendid novel," when it was his duty to stick to facts. Personally, how sincere he was, how brilliant, how able! If his Horace were always in his pocket, there was always in his head a counterbalancing sense of humor, saving him from pedantry. Emulous of the great practitioners and orators of his age, he almost reached their height. With high literary ambition, he stands a typical figure among our American Amiels of his day—those witty and genial and learned and lovable souls who left behind them little save the record of their aspirations.

And now seems the time to say what should be said somewhere in this volume—that Patrick Henry's son John * named a son of his own William Wirt Henry,

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ter of Colonel Robert Gamble, of Gamble's hill, Richmond. One summer morning early Colonel Gamble, on business bent, entered Wirt's office. Wirt, who had been up all night with boon companions, was armed with a sheet-iron blower and a poker and was reciting "Falstaff's" account of the battle with the men in buckram. Colonel Gamble bowed to his prospective son-in-law, and withdrew.

* Colonel John Henry was four years old when his father died. He was chagrined when he first read William Wirt's book. He felt that Wirt should have visited Red Hill before writing it, and that he should have talked with two of Patrick Henry's sisters, who were then living. He also realized that Jefferson had unduly influenced Wirt. On the other hand, John Henry admired the "Sketches" for the qualities that popularized them; and showed his gratitude to Wirt in many ways. William Wirt Henry inherited the duty of clearing his grandfather's record. His first notable paper, "Character and Public Career of Patrick Henry," was pub-

who, by research, by sifting, by pious continuity of labor through many years, rescued and authenticated much matter of weight and consequence concerning the life of the great orator. But his task was difficult. When Patrick Henry had grown great, he did not concern himself about the rungs of the ladder by which he had climbed. He left but one important paper. As he did not foresee that futurity would wish to know whether he took his father's "birchings" stoically, whether he held his nose when he dived in the South Anna swimming-hole, or whether he could perform startling acrobatic feats in some grapevine gymnasium far in the woods, he made no record of such things. He probably shared Chief-Justice John Marshall's dread of biographers. "I hope to God they will let me alone till I am dead," said Marshall, within Wirt's hearing—which was not altogether complimentary to Wirt.

Many Hanover people told Nathaniel Pope of Patrick's liking for the woods and of his playful spirit. "Colonel Charles Dabney," says Pope, "has described to me the place on the South Anna where Patrick when a boy would overset the canoe in which they were crossing the river, and which the Colonel attributed to accident until he remarked that whenever an accident of this kind happened, himself and brother had their clothes on, and Patrick Henry, under some pretext or other, was generally divested of his." Again Pope says: "Henry when a boy took great pleasure in the company of an agile fellow, a dependant of his, who

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lished in the Richmond, Va., *Dispatch,* in 1867; other papers followed; and in 1891 he published his three-volume "Patrick Henry: Life, Correspondence, and Speeches." It is a work of 1,946 pages. William Wirt Henry was a thorough student of early Virginia history. He was never in robust health. He died in 1900.

was famous for performing extraordinary feats of dexterity and activity. He would often give him a pistareen to climb a tall pine in the neighborhood with his feet foremost, to the admiration of the beholders; and sometimes he would designedly tangle his fishing lines and get them into the hardest knots to observe with what dexterity this little fellow would untangle and loose them."

Moreover, the traditions of Red Hill, where Patrick Henry spent his last days, agree with those of Hanover that he was particularly given to roaming the woods. "Jack White," a Red Hill servant, half Indian and an expert woodcraftsman, once asked his master to tell him of the boyhood sports on the South Anna. Henry said to "Jack White" that his object in his solitary rambles was to "learn the language of the birds." Knowing no better, he fancied that if he should listen patiently and think a long time, he could at last learn what the birds meant when they sang. The mocking-bird could call like a whippoorwill, caw like a crow, scream like a jay-bird, or cackle like a hen. What did it all signify? he had asked himself, and so had set about the task of solving the puzzle.

One of his boyhood joys was to sit in a shady place and watch the cork on his fishing line. Or, flat on his back, with his hands clasped under his head and his legs crossed in air, he would watch the buzzards in their gyrations a full mile aloft. Considering the native wholesomeness and acuteness of his mind, he was probably learning more than he could have gathered from all the Jarratts in the colony. For who shall say that he was not more studious while thus prone upon his back than if he had been bench-fast in a school-room, thumbing a dull book? His eyes were sharp; his memory was keen; his whole mind plastic, receptive, retentive. Like John in the Wilderness, he saw and

absorbed. "Repent!" thought John, again and again. What our Patrick thought is best shown in what he said and did when it came his turn to do and say. The river ran by; the life of the forest was with him; the Book of Nature was open. Many of her laws were in operation before his eyes. Her precision of workmanship; her fidelity, as seen each spring when back to their places came old bird-friends and old flower-friends; her bounty—a marvellous thing; her fateful qualities of disfavor and ferocity; her majesty, as beheld above the dark pine masses on a sparkling night—these truths, laws, beauties, must have been manifest to him and absorbed by him; and this life he led, this schooling, must have made of him something truer, something saner, something freer and stronger than he would have been if he had leaned unduly upon what mankind puts into books.

Yet books and bookish men had not a little to do with Patrick Henry's development. Even if Mr. Wirt be right as to the boy's truancy, there were rainy days then as now, and by no possibility could Patrick always have escaped the sound of his father's voice—the unctuous Scotch twist and twang as the Aberdeen dominie construed Latin and Greek with his grammar-school pupils. A traveller of the period tells of the delight he felt when once he came upon a great number of Virginia boys out on the green, under the trees, with the wild blue mountains in full view, going over their Greek in melodious voices. As befits the idyllic sketch, the master sat in silence; and the music of the verb "tupto," the traveller avows, lingered long in his ears. Doubtless there was an enticing side likewise to the "Mount Brilliant" school; and, when Uncle Patrick came, the air at times must have been filled with the sound of learning. Nor ought we to lose sight of the fact that there was a special reason why the *Gentle-*

man's Magazine should be read at "Mount Brilliant." Another Aberdeen scholar, David Henry, a cousin of John and Patrick Senior, was its co-editor. On one occasion our Patrick said, within the hearing of Governor John Page: "Naiteral parts is better than all the larnin' upon yearth;" and this expression has been cited in proof of his illiteracy. But Patrick could mimic a man to perfection, and possibly the Governor was not quick to see a joke; or possibly Page took out the honest "are" and interpolated the mischievous "is." Virginians in that day, as later, had a way of their own with words. The polished Edmund Pendleton pronounced "scarcely" "*scaisely.*" Said the irritable John Randolph of Roanoke to a woman who was a long time serving his breakfast:

"Why don't you make that coffee?"

"I wuz a-makin' it."

"You *wuz* a-makin' it! Whoever said 'wuz' but you and the Chief-Justice!"

According to John Adams, Patrick Henry said that, at fifteen, he had read Virgil and Livy in the original. Judge Hugh Nelson reports that, when older, Henry read a translation of Livy once a year, Henry himself having so stated. Hence it is allowable to surmise that liberty and republicanism got into his head by way of old Rome, as well as by breathing the breath of that something which dwelt in the wilderness.

Whether our Patrick, if he had lived, could have read the little Latin "Life" of him by Dr. Nathan Covington Brooks (1864) is uncertain; but we think the orator would have had a good laugh over "'*Cæsar habuit suum Brutum, Carolus Primus suum Cromwellum, et Georgius Tertius*—'(*clamor ingens*: '*Proditio! Proditio!*')," etc.

Bearing in mind that "Tristram Shandy" did not appear until 1760, it is interesting to note how the book

impressed young Patrick Henry. Captain George Dabney, a neighbor, says:

"He [Patrick] was delighted with the 'Life and Opinions of Tristram Shandy,' which I have known him to read several hours together, lying with his back upon a bed. He had a most retentive memory, making what he read his own. I never heard him quote verbatim any passages from history or poetry, but he would give you the fact or sentiment in his own expressive language."

"Tristram" had other admirers in those parts about that time. One of these was Dr. John Eustace, of Wilmington, N. C., who, having sent the author of the book a curious "Shandean" cane, received the following acknowledgment from Laurence Sterne:

"Your walking-stick is in no sense more Shandaic than in that of its having more handles than one. The parallel breaks only in this, that in using the stick every one will take the handle which suits his convenience. In 'Tristram Shandy' the handle is taken which suits their passions, their ignorance, or their sensibility. There is so little true feeling in the herd of the world that I wish I could have got an act of Parliament, when the books first appeared, 'that none but wise men should look into them.' It is too much to write books and find heads to understand them."

And now we may conclude that while Patrick Henry was by no means a model for the youth of the land, he was not as undeserving as Mr. Wirt and tradition have proclaimed. He was a normal boy, who liked work as little as a colt likes the cart. Unaware of his own latent powers, he did as other boys in Hanover were doing—went barefoot in summer, fished, swam, sang, fought, did "chores," and in fall and winter roamed the forests with his flintlock. Thus his boyhood falls short of something exemplary and inspiring when contrasted with that of such a Virginia celebrity,

for example, as Edmund Pendleton, who ploughed all day and busied himself with books at night, or with that of any one of a hundred self-made American heroes it would be possible to name. We all keep in mind a picture of young "Abe" Lincoln down on the hearthstone with his nose in a book and the fire flickering; but there is no such picture of young Patrick. He was just a normal boy; and he had a good time with his rod and gun—an excellent time.

III

STRUGGLES—NINE YEARS ON THE WRONG ROAD

With so many daughters under the "Mount Brilliant" roof, it was natural, if imprudent, that Colonel John Henry and his wife should push their unpractised sons prematurely into the workaday world. Not lack of parental affection, but excess of it, is indicated in this. Possibly the elders were troubled because Patrick was so fond of hounds and horn, but the greater likelihood is that they were in distress lest William—"Langloo" Winston's namesake—should go the wrong road. "Dissipated" is the word applied to William by the gossips of Hanover. As his beard grew, he acquired an estate; served as a patriot soldier; represented Fluvanna in the Assembly, and, like his father, was called "Colonel"; but at this time he was wild.

For a year (1751) Patrick was a clerk in a country store, learning the business; and, when he was sixteen, his father bought a stock of goods and "set him up in trade," with William as his equal partner. He was to weigh sugar, draw molasses, measure off calico. Such is the world's way with genius; but then, how is the world to acquire foreknowledge of divine fire in a lad till the first spark shows?

At this period there were many Scotch merchants east of the Blue Ridge. They were individual immigrants; and are not to be confused with the Scotch-Irish—the Presbyterian backwoodsmen—who helped to people the Shenandoah region, bringing with them clear-cut memories of Londonderry and standing as a barrier against the incursions of the savages.

As for the colonial store, it was a prime economic

agency. Its importance was felt not only in Patrick Henry's century but in the preceding one. Its inventories, as preserved in the records of the tidewater counties, show what good customers of England the Virginia people were; and cause one to wonder that the rulers of Great Britain should have alienated a trade of such volume and desirability by the enforcement of laws that incited finally to revolution. These stores were mainly at the landings and cross-roads. Many of them became landmarks. Their history would be the history of neighborhoods; for in front of the counters a thousand scenes were enacted, stories told, characters revealed—all reflecting the familiar life of high families and mean—white people and black—throughout the Old Dominion. On Saturdays especially could Laurence Sterne have found subjects for character-study if he had sailed up the York and tarried awhile in Hanover. He would have found some people in log-houses and some in mansions; but, for the most part, he would have been entertained by well-mannered folk, dwelling in frame structures, with an outside chimney at each end. The cooking would have pleased him—if not the "characters" at the cross-roads village, with its blacksmith's, wheelwright's, and shoemaker's shops—biscuits made of complete and unadulterated flour, roast duck, goose, turkey, lamb, and acorn-fed pig, which, prior to the sticking, had been as fond of the forest as our Patrick himself.

Patrick, it seems, understood that a country store is a school for the study of human nature. It appears also that he was an apt pupil. In his own small store, he laid the basis of that knowledge of men which never failed him when it came his turn to play upon their emotions. Whether weighing sugar, drawing molasses, or ripping calico, he was wide awake to the human comedy. "Whenever a company of his customers met in the

store," says Wirt, "and were themselves sufficiently gay and animated to talk and act as nature prompted, without concealment, without reserve, he would take no part in their discussions, but listen with a silence as deep and attentive as if under the influence of some potent charm. If, on the contrary, they were dull and silent, he would, without betraying his drift, task himself to set them in motion and excite them to remarks, collision, and exclamation." Nothing suited him better than to start a debate and then watch the debaters. Their logic or lack of it, their sophistries, their processes of thought —these things Patrick seized upon and measured just as if he had it in mind to write an American book on the "Human Understanding," in rivalry with Mr. Locke. Concerning this characteristic, Captain George Dabney testifies: "He [Patrick] had a most extraordinary talent for collecting the sentiments of his company upon any subject, without discovering his own; and he would effect this by interrogations which to the company often appeared to be irrelevant to the subject." All of which suggests that our Patrick was something of a lawyer before he studied law.

Tales about his storekeeping are told in Hanover to-day, after the lapse of one hundred and fifty years. Are they true? We doubt it. They sound as if told of other storekeepers and, when the names of those cross-roads characters had been lost, applied to Henry. The salt-sack tradition is a case in point. Patrick was stretched out at full length on a sack filled with salt, and was in the thick of a subtle discussion, when a customer entered, saying: "Have you any salt, sir?" "Just sold the last peck," said Patrick.

Such anecdotes seem out of character when one goes over the store-book kept by Patrick in his own hand. There are 111 pages of entries. The writing is clear, firm, and neat. There are no blots, but an occasional

splutter of Patrick's pen is still recorded, so good was the ink he used. He wrote "sticks-hair" for hairpins; and spelled buckram "buckrum," and shoe-buckles "shew-buckles." He seems to have supplied Hanover people with a great variety of articles; and there is evidence in his careful bookkeeping that he tried to be a good merchant. The site of a store managed by him is pointed out to this day on the slope of a hill near Hanover Court-house. The place overlooks the valley of Court-house Creek and affords a pleasant view.

Patrick may have been superior to his customers in rural dialectics, but some of them were shrewd with a different sort of shrewdness. While he was taking advantage of them in one way, they were getting the better of him in another. He was too good-natured. They played upon the young merchant as easily as he played upon his own flute—they ran up bills which they failed to meet, and within a year the firm of Henry and Henry went out of business.

As between the brothers, Patrick had the better head, so it fell to him to look after various unsettled affairs connected with their mercantile misadventures. This took many months; and if, meantime, Patrick saw fit to hunt a great deal, there was only fairness in it; since he, too, was being hunted—by the boy with the bow and arrows. He fell in love with Sarah Shelton, daughter of John Shelton, who lived on a farm in the part of Hanover known as "the Forks." It is a pity that Wirt, who had opportunities to ascertain all needful data concerning the great orator's early life, did not strengthen his "Sketches" with certain essentials, reserving his rhetoric and romance for an account *con spirito* of Patrick's courtship of the maid whose father soon became the tavern-keeper at Hanover Court-house. We may be sure that Scott or Burns would have brought Patrick's first love into the true light,

and that the odor of the magnolia blooms in the branches and along the roadsides near "the Forks" would have been conveyed to the reader. Those who know what love is to a lad of eighteen may readily imagine how it seized upon Patrick, and lit up all Hanover for him. A stripling thus possessed needs but a short vaulting-pole to leap a wide and dangerous stream if his sweetheart be upon the far side. But to Wirt the affair lacked appeal. If Patrick had gone love-making among the Pamunkeys—last of the Pocahontas tribe—and had borne off their feathered belle, then we may be sure that the Wirt imagination would have been challenged; and we should have had the story of the wooing, magnolias and all. But he took little interest in Sarah Shelton *—we do not know if she had grace in her heart and color in her cheek or anything about her except that "she was an estimable woman, of most excellent parentage, and brought him [Patrick] six negroes and a tract of poor land, containing three hundred acres, called 'Pine Slash.'" The word "slash" brings to mind the fact that Henry Clay, the "Mill Boy of the Slashes," was born in Patrick Henry's country. But this was some years later. It is still the fall of 1754, as far as Patrick is concerned; the times are hard because of the French War; he is not yet nineteen, and he has just begun a long struggle.

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* According to the *William and Mary College Quarterly Historical Magazine,* vol. vii, p. 11, William Parks, founder of the *Virginia Gazette*—the first Virginia editor—left a part of his estate to his daughter Eleanor Shelton, wife of John Shelton of Hanover. It would seem from Parks' will, proved at Yorktown, June 18, 1750, that "the first wife of Patrick Henry, Sarah Shelton, daughter of John Shelton of Hanover, was granddaughter of William Parks and Eleanor his wife. It is probable that Mrs. Henry derived her name, Sarah, from Mrs. Packe, who was perhaps connected by family ties with William Parks or his wife Eleanor."

Though gifts came to him from "Mount Brilliant," and though John Shelton, who lived on the next farm, helped him, Patrick must have met with many discouragements. The principal crops were wheat, corn, oats, and tobacco. Corn was used on the farm. Oats were harvested when in the milky stage and fed to sheep. Tobacco alone was salable. Bear in mind that there were no markets for farm products in the Virginia of Patrick Henry's youth. Patrick managed his slaves; "salted" the ranging stock which bore his brand—pigs, sheep, and cattle; and bent his own back to labor. Farming was all the more difficult for him because some of his dower slaves were not old enough to work but quite old enough to eat. In fact, our Patrick becomes a figure to look upon. Sunburnt, sweaty, hard-handed, the man to whom the whole continent would by and by be listening now swings the hoe as he grubs new ground that a few more tobacco hills may be made for the coming harvest.

As before intimated, we find it in our dispositions to lionize young Abraham Lincoln, who rested on his elbows when he read by firelight, and to condemn young Patrick Henry, who preferred to roll over on his back. Why we draw so positive a distinction few could explain; but certainly all who in imagination delight to see the sweat-drops trickle down the cheeks of adolescent genius must admit that our Patrick at "Pine Slash" was little better off than our Abraham when he swung his axe and split his rails.

Yet it could not have been all toil and no joy at "Pine Slash." There was the young wife, who, in course of time, bore him six children. There was the pleasing sense of proprietorship, if not of actual prosperity. There was sport, also. Nearly every farm in Hanover had its pack of hounds. Game abounded—foxes, raccoons, deer, bears, rabbits, wild turkeys, quail,

and, in the thick of the forests, wild-cats and panthers.

Fate, however, did not intend that Patrick Henry should hide his talents on " Pine Slash " farm. In the shape of fire, she visited him and burned his dwelling-house, with the greater part of his furniture. So, in 1757, Patrick Henry ceased to be a farmer.

This year, be it remembered, he was twenty-one. It is the exact half-way date in Virginia's three hundred years of history. Various happenings at this time gave rise to law-making, to controversy, and deep division. Peace preceded it; a great quarrel followed it. We may not say that it was a year that stood at the turn between new and old, yet it is a memorable date. But the question is: Did Patrick gain or lose by his experience at " Pine Slash "? There is no doubt about it. He gained. A sagacious man who uproots tree-stumps and digs ditches bethinks him as he toils of kings, governments, and taxes. Without knowing what he thinks, such a man reaches true conclusions. Much of the sound common-sense characteristic of Patrick Henry was in all likelihood developed under stress of hard work at " Pine Slash." Much of his subsequent popularity with the plain people of Virginia was due to the fact that he was their spokesman, and he was their voice because he had learned to enter into their feelings. He had been one of them, and continued to be one of them.

With his house in ashes, and his family to keep, it was necessary to sell some of his negroes; and this he did—no doubt regretfully, for, as we shall see, his heart was troubled on the score of slavery. With the money thus acquired, he had the hardihood to start another store. There was a clerk to help him; for, in the planting season, part of his time was spent at " Pine Slash " farm. Again, however, he had numerous opportunities to study humankind. From his seat on the

counter, his long legs dangling down, he could listen and quiz, and enrich his expanding mind with the wisdom of the countryside. But frequently he must have been a lonesome man. For the times were still hard in 1758, and next year the tobacco crop failed, so that some of his customers were unable to settle with him. The total of his cash sales to July, 1760, was less than £40. Again he gave up storekeeping. At twenty-four, he was face to face with an unpromising world. Not only had he thrice failed in his attempts to earn a livelihood—he was in debt. But he was not a bankrupt, as has been said of him; nor was he ever sued. Of this latter fact he was proud till his dying day.

As in General Grant's case a hundred years later, and as in numberless other instances, known or unknown, his qualities of superiority were in disuse—undiscovered by the world, unsuspected by himself. Was he downcast at this crisis in his affairs—was he ready to give up? Not at all; only he pondered more. He tried to measure his capacity. He was rational; sanguine; ready to trust in that future out of which a ship is ever due when men are young. That this is true of him appears from a description of the Christmas festivities (1759) at the house of his good friend Captain Nathaniel West Dandridge, who had served in the British Navy but who now lived ashore, being fortunate both in his means and his mate—Dorothea Spotswood Dandridge, daughter of Governor Alexander Spotswood. The witness who describes these festivities is Thomas Jefferson. Writing late in life, his memory may have been at fault. Hostility, too, gave his words a bias. But, with all said, we certainly cannot do better than glance over the shoulder of one who now saw Henry for the first time and who was to become in turn his admirer, friend, rival, opponent, critic, and detractor. It is Jefferson who turns on the light:

"My acquaintance with Mr. Henry commenced in the winter of 1759–60. On my way to the college [William and Mary] I passed the Christmas holidays at Dandridge's, in Hanover, to whom Mr. Henry was a near neighbor. During the festivity of the season I met him in society every day, and we became well acquainted, although I was much his junior, being then in my seventeenth year, and he a married man. His manners had something of coarseness in them; his passion was music, dancing, and pleasantry. He excelled in the last, and it attached every one to him. You ask some account of his mind and information at this period, but you will recollect that we were almost continually in the usual revelries of the season. The occasion, perhaps, as much as his idle disposition, prevented his engaging in any conversation which might give the measure either of his mind or information. Opportunity was not, indeed, wholly wanting, because Mr. John Campbell was there, who had married Mrs. Spotswood, the sister of Colonel Dandridge. He was a man of science and often introduced conversation on scientific subjects. Mr. Henry had, a little before, broken up his store—or, rather, it had broken him up; but his misfortunes were not traced, either in his countenance or conduct."

If by Patrick's "coarseness" Jefferson meant simple rusticity, it was almost a case of "pot calling kettle black." For we read: "Handsome in his old age, in his youth Jefferson was no beauty. Then he was tall, thin, raw-boned; had red hair, a freckled face, and pointed features." His letters tattle about "Becca," "Sukey," "Judy," and "Belinda," and refer to that "dull old scoundrel, Lord Coke."

Patrick in holiday humor probably was different from Patrick after the holidays. Unsettled store affairs still concerned him; but he saw that he must speedily set foot in a new path. What should he make of himself? What if he should study law? Would his mother-wit see him through? His cousin, Judge Edmund Winston, wrote of him: "He may be considered at this time a virtuous young man, unconscious of the powers of his own mind, and in very narrow circumstances, making a last effort to supply the wants of his family."

Neither his father nor father-in-law was able to give him substantial aid. "Adversity toughens manhood," wrote Patrick, late in life. "Be sure, my son," he once said to his young kinsman, Dr. John H. Rice, "the best men always make themselves."

"All other experiments having failed," he made up his mind to study law. Accordingly, he borrowed a "Coke upon Littleton"—it was ten years before Blackstone appeared—and set to work. John Lewis, a Hanover lawyer, encouraged him; his own father, a magistrate, no doubt advised him; and Peter Fontaine, a relative, gave him a volume of forms of declarations and pleas. That he knew a little French is evident because he wrote in the book: "Le don de Pierre de la Fontaine . . . Patrice Henri le Jeune, son livre. Avrille 18th, 1760."

If there had been lack of zeal on Patrick's part when he was at school, it was not so now. The spur of necessity quickened him. He seems to have gone through Coke at a gallop, grasping all he needed. How long it was from the day he began to study law until the day he presented himself before the Board of Examiners at Williamsburg is a mooted point. Some say a month; some, six weeks; others assert that the time was not so absurdly brief.

Accounts differ, too, as to his reception by the members of the Board. In a memorandum made in 1814, Jefferson gave one account; in talking at Monticello with Daniel Webster and the Ticknors, in 1824, he gave another; and while the two tally in the main, there is a discrepancy as to the examiners. Jefferson says that Henry, who called on him at the College, admitted that he had "only been reading law six weeks." Peyton Randolph, John Randolph, George Wythe, and Robert C. Nicholas are named in the memorandum as the men to whom Patrick applied for a

license. There is apt to be confusion about the Randolphs of Virginia. Anburey, in his "Travels," said of them in 1779: "They are so numerous that they are obliged, like the clans of Scotland, to be distinguished by their places of residence." Just now we are meeting the two sons of Sir John Randolph, and later we shall meet his grandson Edmund, as well as the eccentric John Randolph of Roanoke. Of the two importuned by Patrick Henry, Peyton, the patriot brother, is the better known. He was "tall, stately, and grave in manner; generous and hospitable; a sound, accurate, and able lawyer." John, the Tory brother, became the King's Attorney-General, quit the colony at the outbreak of the Revolution, and died an unhappy alien. At this period, he was in full flower—learned, courtly, and of high consequence. Imagine the Hanover applicant, country-clad and unpolished, stepping into the presence of velvet, ruffles, and smooth-handed elegance, and facing a pair of critical and perhaps contemptuous eyes. For John Randolph was reluctant to begin the examination. Not until he had learned that two members of the Board had already signed the application did he consent to quiz him. Patrick subsequently described the ordeal for the benefit of his friend John Tyler; and here is Judge Tyler's report:

"A very short time was sufficient to satisfy him (Mr. Randolph) of the erroneous conclusion which he had drawn from the exterior of the candidate. With evident marks of increasing surprise (produced, no doubt, by the peculiar texture and strength of Mr. Henry's style and the boldness and originality of his combinations) he continued the examination for several hours; interrogating the candidate, not on the principles of municipal law, in which he no doubt soon discovered his deficiency, but on the laws of nature and of nations, on the policy of the feudal system, and on general history, which last he found to be his stronghold. During the very short portion of the exam-

ination which was devoted to the common law, Mr. Randolph dissented, or affected to dissent, from one of Mr. Henry's answers, and called upon him to assign the reasons for one of his opinions. This produced an argument; and Mr. Randolph now played off on him the same arts which he himself had so often practised on his customers, drawing him out by questions, endeavoring to puzzle him by subtleties, assailing him with declamation, and watching continually the defensive operations of his mind. After a considerable discussion he said: 'You defend your opinions well, sir, but now to the law and the testimony.' Hereupon he carried him to his office, and, opening the authorities, he said to him: 'Behold the force of natural reasons; you have never seen these books, nor this principle of the law; yet you are right and I am wrong; and from this lesson which you have given me (you must excuse me for saying it) I will never trust to appearances again. Mr. Henry, if your industry be only half equal to your genius, I augur that you will do well, and become an ornament and an honor to your profession.'"

John Randolph, as well as Peyton, told Jefferson that, though Henry was ignorant of law, he had genius in him. Jefferson says that Robert Carter Nicholas withheld his signature at first, but gave it "on repeated importunities and promises of future reading." In the Webster talk, Nicholas is not mentioned; but it is stated that "Pendleton after much entreaty" signed the license. George Wythe, who was professor of law at William and Mary College, refused to sign. He was the preceptor of Chief-Justice Marshall as well as of Mr. Jefferson. "Middle-sized, with dark gray eyes," this learned worthy, famous in patriot annals, left his mark upon the fundamentals of the Republic. "No one ever expressed more courtesy in a bow," and he bowed young Patrick out. Nevertheless, Patrick with his license must have ridden with a light heart when he took the homeward road. As he had little to do that spring and summer, and as his practice did not begin until fall, it is likely that he kept up his law studies.

Yet rumor would not have it so. Rumor and Mr. Jefferson say that Patrick Henry came to two bars at once. About this time Shelton, his father-in-law, began to keep the tavern at Hanover Court-house. Temporarily Patrick and his family made it their home. Jefferson calls him "a bar-keeper." John Bach McMaster says that for three years Henry "tended travellers and drew corks." Moses Coit Tyler discredits the story. William Wirt Henry scouts it. "He helped his father-in-law, but there is no evidence that he was a bar-tender," says the excusatory student, ashamed that a man who rose so high should be placed so low. Concerning these matters, it is important to bear in mind that Henry's age was different from ours. Self-righteous as we are with regard to sanitation and other modernities which in some cases sprang from the labors of the very men we abuse, we may hold our imaginary noses when we speak patronizingly of the stenches of the colonial towns, but our attitude is unfair. Nor is it fair to class the Virginia tavern, which had its proper place in the scheme of existing society, with some cross-roads groggery of a later period when that scheme had changed. Let us remember that towns were few and far between. "Where now only the meanest brands of whiskey can be bought," says Bruce, "madeira, sherry, canary, malaga, muscadine, fayal, and other foreign wines were offered for sale," at the country ordinaries. Though this refers to the taverns of an earlier period, it applies as well to those of Henry's day. Moreover, custom then sanctioned what now would be thought a stigma. View the bar-keeping story as we may, it is allowable to conclude that Patrick would have been a scurvy fellow indeed had he not helped John Shelton.

In seeking to get at the truth as to Patrick, one lays himself open to the charge of becoming his apologist (as if he needed one!), and, what is worse, of impugn-

ing a good man, William Wirt, and, what is still worse, of taking issue with a great man who should be very close to us, considering how much he did—Thomas Jefferson. Wirt magnifies Henry's ignorance of the law. Jefferson says that he was "too lazy to practise," adding: "Whenever the courts were closed for the winter session, he would make up a party of poor hunters of his neighborhood, would go off with them to the piney woods of Fluvanna and pass weeks in hunting deer, of which he was passionately fond, sleeping under a tent before a fire, wearing the same shirt the whole time, and covering all the dirt of his dress with a hunting shirt. He never undertook to draw pleadings if he could avoid it, or to manage that part of a cause, and very unwillingly engaged but as an assistant to speak in the cause. And the fee was an indispensable preliminary, observing to the applicant that he kept no accounts, never putting pen to paper, which was true."

Patrick Henry's fee-books, now to be seen at Red Hill, were kept with his own hand. They show that Jefferson was wrong. The first fee-book contains the names of sixty clients, all entered during the fall of 1760. One page is missing, but the other pages make record of 175 fees. By the end of 1763, Henry had charged fees in 1,185 suits. "An examination of these entries of fees," says his grandson, "shows that Mr. Henry was transacting all the business of a country practice, his courts being the county courts of Hanover and the surrounding counties. The county courts, held by justices, were the only courts in the colony, except the General Court, consisting of the Governor and his Council, at Williamsburg. The country practice, which embraced every branch of the profession, was the best training which he could have had. It was impossible for him to have acquired or retained it, unless he had been attentive in his business, and industrious in his

habits, for the great bulk of it was mere routine work, such as bringing plain actions of debt." It may be added that Randall, in his "Life of Jefferson," says that for the first four years Jefferson had but 504 cases.

So, thanks to the good nutgall in the ink used by Patrick himself, we have in his fee-books evidence that his early work at the bar was too exacting to permit him to be of much use at Hanover tavern. But it is easy to believe that he did find time to go to Fluvanna after deer; and it is agreeable to think of him as coming home laden with venison for John Shelton's larder. He was still obscure, but his struggle for bread had ceased. He was on the right road at last.

IV

OUT OF OBSCURITY—A SUDDEN LEAP

"Whose life in low estate began
And on a simple village green;
Who breaks his birth's invidious bar,
And grasps the skirts of happy chance,
And breasts the blows of circumstance,
And grapples with his evil star;
Who makes perforce his merit known."
—TENNYSON: "In Memoriam."

"SHAKESPEARE was born so." No doubt of that. Nevertheless, he profited by his playhouse environment. Even if our lesser Virginia genius inherited his oratorical aptitude, he must have been influenced by speakers heard by him in his youth. Who were they? In answering the question, we find ourselves reëntering Hanover by a new and interesting approach. It is convenient, nay, necessary, to ride in on the crupper of the Rev. William Robinson's horse.

Robinson was a "New Light" revivalist, and when, in his travels, he reached Hanover County, nightfall found him many miles short of his appointed preaching place next day. So he put up at an inn, whose keeper, as it happened, swore abominably. Robinson rebuked the tavern-keeper, who bristled at once, saying:

"Pray, sir, who are you, to take such authority on yourself?"

"I am a minister of the gospel."

"Then you belie your looks."

Imagine the stir among the loungers, and the laugh they raised; for small-pox had robbed our itinerant of an eye, and a rough world had put upon him the stamp

of a Carolina drover. He explained that he was to preach next day.

"If you will accompany me," said he, "you may be convinced."

"I will if you'll preach from a text I'll give you."

"Agreed. What is it?"

"'For I am fearfully and wonderfully made.'"

Again can we hear the shout. But traditions of that sermon, preached before thousands—out in the open under the trees—linger in the Patrick Henry neighborhood to-day. It was the beginning of a movement that made Hanover famous as "the cradle of Presbyterianism" for a vast region west and south of the Chesapeake. "There have lived men in Virginia," says Foote, writing of the struggle for religious liberty, "whose names are worthy of everlasting remembrance. There have been events that should never be forgotten. There have been principles avowed whose influence will be felt through all time." To disregard the "New Light" movement, begun by Makemie on the Eastern Shore, and transferred by Robinson to Hanover, would be to ignore one of the most powerful formative influences upon Henry both as a thinker and as an orator.

And since Robinson has come into these pages by way of one anecdote, let Makemie come in by way of another, or rather as an actor in a spirited scene—less dramatic than that powerful scene of the first of September, 1670, when William Penn outfaced a bench of ten justices at the Old Bailey, but strong and moving nevertheless.

Let us join the spectators in Lord Cornbury's Council Chamber, in New York, on a winter afternoon between three and four o'clock. Enter, from the prison at Fort Anne, the Rev. Francis Makemie, of Accomac, in Virginia, and the Rev. John Hampton, of Maryland.

"Lord Cornbury: 'How dare you to take it upon you to preach in my government without license?'

"Makemie: 'We have liberty from an Act of Parliament made in the first year of the reign of King William and Queen Mary, which gave us liberty, with which law we have complied.'

"Cornbury: 'None shall preach in my government without my license. . . . New York is of her Majesty's dominions; but the Act of Toleration does not extend to the plantations by its own intrinsic virtue or any intention of the legislators. . . . That Act of Parliament was made against strolling preachers, and you are such and shall not preach in my government.'

"Makemie: 'The Quakers . . . *they* travel and teach over the plantations, and are not molested.'

"Cornbury: 'I have troubled some of them, and will trouble them more. . . . You shall not spread your pernicious doctrines here.'

"Makemie: 'As to our doctrines, my lord, we have our Confession of Faith. . . . I challenge all the clergy of York . . . '

"Cornbury: 'You must give bond and security for your good behavior, and also bond and security to preach no more in my government.'

"Makemie: 'We neither can nor dare.'

"Cornbury: 'Then you must go to jail.'"

But Makemie, the founder of Presbyterianism in America, labored near the seashore. He was unknown in the great Anglican region west of the bay. For more than a century the Established Church had been supreme there. It was, in reality, an outlying part of England. "Society," says A. G. Bradley, "was tenaciously English, based upon landed property and to some extent the negroes. Imagine an English county in the last century, with the higher aristocracy removed and the squires of small or moderate fortune left, and you have something like a county of Tidewater Virginia in 1736." It was a squirarchy. "Primogeniture and entail were in vogue, and a herald at Williamsburg sat in judgment on shields and quarterings." As for the clergy, their hold seemed as strong upon the colony as upon England—stronger,

indeed, for the Scotch-Irish dissenters had not as yet begun to people the valley of the Shenandoah.

Readers of that Virginia classic, William Meade's "Old Churches, Ministers, and Families," need not be reminded that many clergymen of the Established Church were men of dignity and character. To use Edmund Randolph's words, "they were planted on glebes, with comfortable houses, decent salaries, some perquisites, and a species of rank which was not wholly destitute of unction." Whether they were willing or not, the taxpayers annually paid each clergyman 16,000 pounds of tobacco; for marrying the fee was 400 pounds; for burying, 200. There were "sweet-scented parishes" and "Orinoco parishes," according to the variety of tobacco grown. Down near the North Carolina line the clergy were paid in tar.

Perhaps the light-hearted life led by the "Tuckahoe" gentry caused some of the ministers to lose themselves in worldliness. The Virginians lived in plenty, and dressed in style. They did not loiter when in the saddle, but moved at a sharp hand-gallop, their horses taking the roads unshod. They used much physic to ward off fever-and-ague, and drank much with the same object. General Washington, be it recalled, recommended as "a cure for chills" two glasses of Madeira, followed the next morning by a glass of claret. But the Virginians also drank with no object at all. When they died, there was no famine at their funerals; it was a feast rather, and a flow; and there was more real drunkenness than real sorrow. The Rev. Andrew Burnaby, Vicar of Greenwich, travelling among them in 1760, found them "indolent, easy, good-natured, extremely fond of society, and much given to convivial pleasures. They are haughty and jealous of their liberties," he added, "impatient of restraint, and scarcely bear the thought of being controlled by a superior

power." "Generally speaking," says another traveller, "the young men are gamblers, cock-fighters, and horse jockies. To hear them converse, you would imagine that the grand point of all science was properly to fix a gaff and touch with dexterity the tail of a cock while in combat. At almost every tavern on the public roads there is a billiard table, a backgammon table, cards, and other implements of various games." "Tom Jones" evidently would not have been lost among the Virginians of his time. Yet we are concerned in these pages less about "Tom" than about "the Rev. Mr. Square" and "the Rev. Mr. Thwackem." Beyond doubt, there were flesh-and-blood "Thwackems" and "Squares" in the tidewater country; and there were numerous other clergymen utterly lacking in spirituality. Some of them had been sent over the water merely that the British Isles might be rid of them. When Commissary Blair, the founder of William and Mary College, who was in the old country seeking funds, reminded Sir Edmund Seymour that there were souls to save in Virginia as well as in England, Seymour replied: "Souls! Damn your souls! Grow tobacco!" Some of the colonial clergy were to be seen at the races; at the cock-pit; at cards. They drank to drunkenness. One was customarily strapped in his gig when homeward bound from a feast. Another, with an undivorced wife in England, married a Virginia widow. Another fought a duel within sight of his former church. Another denounced the brilliant "New Light" Waddell as a "pick-pocket, dark-lantern, moonlight preacher and enthusiast." But not all were unworthy. A story is told of an old lady who, having returned from church, called out to her maid to take off her clothes—stiff brocades—"for she had heard so much of hell, damnation, and death that it would take her all the evening to get cool."

These instances of clerical worldliness are here interwoven with the Patrick Henry tale because they serve to put us in touch with the times, and because they explain how a tiny moral seed dropped in Hanover, as by a passing bird, grew into a thriving plant. When Patrick was a boy, a farmer of the neighborhood picked up a stray leaf lost by a Scotch immigrant from a book of sermons and read it with astonishment. He sent to London for the book itself—Boston's "Fourfold State." Some of his friends read it; and there was a sensation in those parts. Samuel Morris built a "reading house," and soon other "reading houses" were constructed. The leaders repeatedly paid fines for non-attendance at the parish churches. Summoned to Williamsburg and examined by the Governor, the dissenters still held out. They had no complaint against the Anglican doctrine, or its beautiful ceremonials; but the parsons, they said, had ceased to fulfil their true ministerial function. For a long time they did not know that they had become converts to the Geneva school, and were astonished at last to find themselves Presbyterians. Their chief thought had been: "Our old churches have lost something, and here now we have found that something." It was spirituality. It made all the difference. So that was why they had sent for the fervid Robinson, who began by converting the godless tavern-keeper; and that was why they begged Robinson to make known in the North their lack of a minister. Because he would not accept pay for his preaching, they secretly filled his saddlebags with money.

And now a romance of religion; for Robinson spent the money in educating Samuel Davies, and when young Davies was ready to preach, he faithfully rode down into Hanover. Robinson was uncouth—not so his handsome protégé, a man of presence. It was he who faced the learned but biased lawyers at Williamsburg in

THE REV. SAMUEL DAVIES

(Known as "The Apostle of Virginia," and later at the head of Princeton College. Patrick Henry found in Davies a model in effective oratory; but the pupil outdid the master.)

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advocacy of his right to preach, reviving the half-forgotten Toleration Act, and opening a way for religious liberty. He was called "the Apostle of Virginia." He went to England to raise money for Princeton College, of which he subsequently became president. George II. heard him preach, and so pleased was his Majesty that he interrupted the services to express his approval; whereupon Davies, a master of solemnity, said: "When the lion roareth, the beasts of the forest tremble; when the Lord speaketh, let the kings of the earth keep silence."

"He is an honest man! an honest man!" said the King to his courtiers next day, when he sent for Davies and gave him fifty guineas towards the college fund.

Davies rebuked cant as well as kings. "It is a dreadful thing," said he, "to talk nonsense in the name of the Lord."

Such was the scholarly Samuel Davies, who, possessing all the graces of gesture and an almost Miltonian command of language, stood before young Patrick Henry as a model in oratory. Patrick's grandfather, Isaac Winston, was one of the Hanover dissenters; so was Patrick's mother; so were two of his sisters. They went to "the Fork Church" to hear Davies preach. Writing of Mrs. Henry, her great-grandson says: "She was in the habit of riding in a double gig, taking with her young Patrick, who, from the first, showed a high appreciation of the preacher. Returning from church, she would make him give the text and a recapitulation of the discourse. She could have done her son no greater service."

Dr. Green, of Princeton, says that Patrick Henry "spoke in terms of enthusiasm of Mr. Davies. It is supposed that he first kindled the fire and afforded the model of Henry's elocution." The eloquence of Davies, testifies Howe, "made a deep impression on his

[Henry's] youthful mind; and he always remarked that Davies was the greatest orator he had ever heard."

Moreover, Patrick had a patriotic as well as oratorical model in Davies, who, between 1755 and 1759, preached many sermons on the French and Indian War. It was he who first eulogized " that heroic youth, Colonel Washington, whom I cannot but hope Providence has hitherto preserved in so signal a manner for some important service to his country." Patrick was eleven years old when Davies entered Hanover; twenty-two when he left. And since " Study Men " was Patrick's motto, there can be no doubt that he studied the great pulpit orator.

Having thus given some idea of the " New Lights," and having set forth the shortcomings of the established clergy, we may move forward with the young lawyer to the fall of 1763, when there culminated a long quarrel of great importance to him individually and to the public as well. At its inception there was fierce pamphleteering over the " Parsons' Cause," and to this day men dispute about the rights and wrongs involved in it. Without further ado, we may muster the salient facts and march them out for inspection:

Let it be borne in mind that the colonial church was planted on the same day the colony itself was planted. Part and parcel of the scheme of government in Virginia, and performing certain useful civil functions, such as the care of the poor, it drew its revenues by taxation. Nearly every one over sixteen years of age was subject to this tax. Vestrymen, who held the parish purse, filled vacancies in their own membership, so that they too often grew to be close corporations in the hands of a few families. Accordingly, by age, by custom, and by generous if not reverent complaisance on the part of the people, the church was deeply rooted. In modern speech, it was a monopolistic body. Minis-

ters were ordained in England and to England they looked for episcopal control, though the Bishop of London had a representative at Williamsburg known as a Commissary. Dean Swift wished to be sent out as Bishop over the Virginia Lilliputians, but there was never a colonial Bishop in the Old Dominion. An established church without a real head; a government without a real head—there was constant temptation to look beyond Williamsburg to London; and London was altogether too busy with its own troubles to do well by the colonists.

Let it also be borne in mind that Virginia had no power to coin money. There was Spanish, as well as British, specie in the colony; but it was scarce. Tobacco was money. "Paid ten pounds of tobacco for 'duckinge' a scold" is a Seventeenth Century item that illustrates the point. At various places there were public warehouses, where inspectors gave receipts for tobacco; and these certificates of deposit circulated as money. By a law of 1696, the annual salary of every clergyman was raised from 13,333 pounds of tobacco to 16,000, to be levied by the several vestries on their parishes. In 1748, by which time the value of the staple had increased fifty per cent., a glebe suit, won by a rector, led to the enactment of a more particular law, approved by the King, in which it was specified that the levies for the clergy were to be "laid in nett tobacco"—16,000 pounds for each.

Soon the French War began. Times grew hard. "Our people are loaded with debt," wrote a man whom we shall meet in Hanover Court-house, by and by—the Rev. James Maury, of Fredericksville parish, Louisa County. His letter is dated August 9, 1755. "Money is much scarcer than it has been for years. Our spring crops of wheat, barley, oats, and rye have been ruined by an early drought. Our Indian corn . . . has

been hurt by a later drought. . . . Our frontiers are daily ravaged by savages."

Yet, in the face of these facts, the clergy asked for an increase in salary. It is allowable to think that Patrick Henry, Junior, as a tobacco planter and taxpayer, viewed the salary-raising suggestion with less favor than did Patrick Henry, Senior, who would have benefited by its adoption. Instead of raising salaries, the Burgesses passed an option law for the relief of the people. They enacted (1755) that for ten months all tobacco debts should be discharged in money at the rate of twopence per pound. Hence the law was called the Twopenny Act. It was impracticable to send it to England for the King's sanction, though it suspended the law of 1748 which the King had ratified.

Again, in 1758, there was a short crop. The price advanced. The Burgesses reënacted the Twopenny Law, which was to remain in force, not ten months only, but a year. This time a bitter controversy arose. Other salaried persons were affected by the law, but it was the clergy who fought it. First they held a convention. Then their chief pamphleteer, the Rev. John Camm, who wrote "The Colonels Dismounted" in reply to papers by Colonel Richard Bland and Colonel Landon Carter, was sent to England to lay their grievance before King George. This same Camm, let us note, is the hero of one of the most popular love stories of his day. In the interest of a friend, who was in love with Miss Betsey Hansford, Professor Camm went to see the young lady, praised her worshipper, and quoted the Scriptures to convince her that she should marry. Like Priscilla, whom Miles Standish wished but John Alden won, Miss Betsey shook her head as she eyed the learned and handsome bachelor. At last she told him that if he would go home and open his Bible he might find her answer in II Samuel, xii, 7. It was:

"Thou art the man;" and Miss Hansford became Mrs. Camm. He was successful with the King, too. The King pronounced the Twopenny Law no law at all. And when news of this ruling reached Virginia, various clergymen began suits in the county courts to collect the difference between £133 6s. 8d. in depreciated paper money, the salary as paid, and tobacco worth £400, the salary due.

Were the ministers right or wrong? The critics of the Twopenny Act of 1758 insist that, as the laborer is worthy of his hire, so was the parson of his pay. In early colonial days, "when the price of tobacco was down," as Moses Coit Tyler expresses it, "the parson was expected to suffer the loss; when the price of tobacco was up, he was allowed to enjoy the gain." The fat years made up for the lean. "It was a rough but obvious system of fair play," thinks Tyler, who declares that the side upon which Patrick Henry found himself was "wrong both in law and in equity." Dr. Tyler, a staunch churchman, drew his conclusions from facts supplied by other churchmen, such as the Rev. James Maury, plaintiff in the test case (whose letters on the "Parsons' Cause" are published in Miss Anne Maury's "Memoirs of a Huguenot Family"), and William Stevens Perry in "Historical Collections relating to the American Colonial Church"; and perhaps there is too much Episcopal fervor in what he says. To mulct the clergy when a fat year came was "a mutilation of justice." By the law of 1748 was there not a valid contract between every vestry and its minister? In nullifying this law there was breach of contract and there was breach of faith with the King. Indeed, the evil spirit of repudiation lurked in the whole scurvy business. "Such, then, in all its fresh and unadorned rascality," concludes Dr. Tyler, "was the famous 'option law' or Twopenny Act of 1758."

Bishop Meade, always benignant, is less severe upon those who sought to commute the salaries of the parsons. Yet that the parsons were wronged he has no doubt. Some of them were unable to marry respectably on such small pay. Another great grievance was that they were obliged to spend their allowance long before it was received. Hence they bought at disadvantage, were often in debt, and suffered the humiliation of seeing inferior men come among them as fellow-ministers. But the good Bishop admits that a countenance brighter than the sun had been withdrawn from them because in many ways they were a corrupt clergy. Similarly, others look upon the proceedings of the Burgesses as a subterfuge in denial of a right sanctioned by long usage. They speak of Lieutenant-Governor Fauquier's refusal to veto the act as "cowardly," and of Patrick Henry's onslaught as "demagogic." A juggle is a juggle, they say; and the appeal to the people was made in full knowledge of their selfish bias. Thus these critics put all the wrongs on one side and all the rights on the other.

The truth is, there were rights and wrongs on both sides. The colony was growing. "Like the strawberry," says Charles Campbell, "the population continually sent 'runners' to possess the land." In Frederick and Augusta counties little tobacco grew; and it was the wish of the vestries there to pay ministers in money. The Burgesses petitioned the King for leave to act on their own initiative in certain circumstances, but his Majesty was stiff-necked. Every year new problems requiring speedy solution arose. High tide damaged great quantities of tobacco stored in the riverside magazines, and the Legislature had to recompense the owners of the tobacco. Should they forever await the King's sanction in colonial matters of purely local or emergent nature? They voted the planters twopence

per pound for the tobacco, and everybody was satisfied. Tradition, in fact, had made twopence the standard price. Yet here were the clergy jarring the very floor of heaven because, forsooth, twopence was not enough for them!

It is a mistake to suppose that the dispute was between the aristocrats and the rabble. In the House of Burgesses were many vestrymen, and other vestrymen throughout the colony were against the clergy. More important than the parsons, sometimes better educated, substantial in every sense—these squires were aware of a change then pending in the relations between the regal government and their own colony. Had not James Otis in Boston just made his powerful speech against general search warrants? And why should the King, an absentee, traverse the judgment of men on the spot? Ships could go and come; but to be at the mercy of the whimsical ocean winds and of men in England even more whimsical was a hard condition. If it were a crime to misread the King's instructions or disobey them, it was a greater crime to misgovern a people whose happiness or misery depended upon the enactment of measures affecting all. Thinking thus, many Virginians regarded the emergency device of the Burgesses as an act of forethought, wisdom, and justice. A few, especially in Hanover, went further. Was it right to tax money out of a man's purse in support of a creed to which his conscience was hostile? No; it was wrong. It was an extortion. Custom, the King, and certain complacent folk who fortified themselves behind conventional godliness, and flattered themselves that they were on the side of heaven, were easy as to the tax; but the common mind was aware of its lack of basis in reason, and the dissenters were keenly alive to its injustice.

But "it takes men a weary while," says John Fiske,

"to learn the wickedness of anything that puts gold into their purses;" and some of the Virginia parsons, reassured by the King's disallowance of the Twopenny Act, went confidently into court.

The chief of these cases was instituted by the Rev. James Maury, who on April 1, 1762, brought suit in the County Court of Hanover against Thomas Johnson and Tarlton Brown, collectors of the levies in the parish of Fredericksville, Louisa County. Mr. Maury, who taught Jefferson,* and gave him his first inkling of America's future greatness, was a man of high standing. Through his mother, a Fontaine, he came of the Manakintown Huguenots. Mark the quaintness of this autobiographical bit: "I am planted about two miles to the northeast of Walker's, under the Southwest Mountains, in Louisa, close by one of the head springs of the main northern branch of the Pamunkey, which runs through my grounds—a very wholesome, pleasant, fertile situation, where, I thank God, I enjoy more blessings and comforts than I deserve." Among his blessings were twelve children, and it may be put down to his credit that a parson with twelve children is justified even in going to law to get his pay. Why this patriarch (whose grandson, Matthew Fontaine Maury, became one of mankind's greatest benefactors) turned his back upon his own country to bring suit in Hanover, among the dissenters, is not clear. But it is clear enough that he put his case in good hands. His counsel

* Maury kept a school in Walker parish, where he taught "five boys who became signers of the Declaration of Independence." Three of them got to be President of the United States. It is said that Maury pointed out to Jefferson that there must be a great river where the Missouri was afterwards discovered. He filled Jefferson's mind with the glorious possibilities of the great West, then little known. See the "Life of Matthew Fontaine Maury," by his daughter, Diana Fontaine Maury Corbin.

was Peter Lyons, "renowned for his refined politeness," who was then well up towards the head of the bar and subsequently became President of the Virginia Court of Appeals. Lyons, born in Ireland, was the son-in-law of James Power, probably the leading lawyer in America at that time and certainly the possessor of the finest law library on the continent. Being fond of Henry, Lyons called him "Young Pat." The one died and was buried at the place where the other was born, "Studley"—long the Lyons homestead.

The counsel for the defence, John Lewis, claimed that the collectors had strictly complied with the act of September 14, 1758. But the King had disallowed the act; so the plaintiff demurred. After argument, November 5, 1763, the court sustained the demurrer. The act was declared null and void. It was "very much to their credit," thinks Mr. Wirt, that the court thus "breasted the popular current." Apparently, Parson Maury had won. So thought Mr. Lewis, at least; for he spoke of the case as hopeless. Nevertheless, a concluding step was necessary. On the first day of December a special jury was to examine whether the plaintiff had sustained any damages, and what. So the defendants employed Patrick Henry to plead before the jury in their behalf. He was their forlorn hope.

If we should put ourselves in the places of some of those who in great numbers, riding on horseback or in coaches, gigs, or carts, moved towards the Court-house on the Monday morning fixed upon for the award of damages, we should see and hear much to entertain us. To realize the scene, we must place perukes on the heads of the gentlemen in coaches and Hogarthian clothes on all. We must restore the trees so as to bring back a Virginia wilderness—brown leaves under the oaks, scarlet on the sumac, and red berries on the holly. But the chief colors would be the dark greens of the cedar

and pine and the light yellow of waving sedge thick upon abandoned fields. If we were in the road that led past the Patrick Henry store, we should descend a hill, ford a creek, take a gentle rise to a village of scattering houses, and either join the crowd at the tavern or the greater crowd on the Court-house green just across the way. A storm swept this green of a grove of ancient locust trees some years ago, but the old Court-house stands as it stood then—a squat, substantial, roomy building of English brick. Quaint arched openings admit one to a paved porch, and this to the court-room. At the time of the trial of the "Parsons' Cause," half of the court-room floor-space was bricked and benchless, so that many of the spectators must have stood.

In the court-yard that morning were assembled great numbers of the best people of the two parishes of Hanover, as well as some from parishes a long way off. There were planters in velvet with powdered hair, long queues, and white top-boots, and there were planters in homespun—rough-and-ready gentry who could fix a gaff as skilfully as they could crack a whip or plough a furrow. "The decision upon the demurrer," we are told, "had produced a violent ferment among the people, and equal exultation on the part of the clergy, who attended the court in a large body, either to look down opposition, or to enjoy the final triumph of this hard-fought contest, which they now considered as perfectly secure." Before the court-crier had spoken his "Oyez! oyez!" twenty of the parsons had appeared; and now, as it is interesting to note, another came riding up in his carriage—the Rev. Patrick Henry. His nephew and namesake was at that moment in the court-yard throng, with Colonel Samuel Meredith. Together they approached the carriage, and, before its occupant could alight, Patrick Junior begged Patrick Senior not to come into court that day.

HANOVER COURT-HOUSE
(Built of brick in 1735. Scene of Henry's maiden leap for fame.)

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"Why?" asked the elder.

"Because I am engaged in opposition to the clergy," said Patrick Junior; "and your appearance there might strike me with such awe as to prevent me from doing justice to my clients."

"Rather than that effect should be produced," said Patrick Senior, "I will not only absent myself from the Court-house, but will return home."

Whereupon he reined about, and drove off towards his glebe.

Soon thereafter, court opened. The room was filled, and many stood in the doorway. On the bench sat Colonel John Henry, the presiding justice, flanked by the other justices. It was a long bench, and upon it the twenty clergymen found places. The Rev. Alexander White, who had lost a similar suit in King William County, was one of the twenty. Confident though they were, they wished to see the final act in a judicial drama that meant so much to their purses and prestige. We can see the twenty grave and learned ministers as they thus sat in a long row side by side. Under their wigs there was no thought of disaster.

But the parson-plaintiff, sitting with his counsel in the bar, was less at ease. No sooner was the case called than he grew anxious as to the character of the jury. The sheriff went forth to summon the twelve men. He entered a public room full of "gentlemen" and told his errand. One excused himself; the others he let alone. He met a "gentleman" on the green and made shift to do without him. "Hence," complains Mr. Maury, "he went among the vulgar herd. After he had selected and set down upon his list about eight or ten of these, I met him with it in his hand, and on looking over it, observed to him that they were not such jurors as the court had directed him to get. . . . Nay, though I objected against them, yet, as Patrick Henry, one of

the defendants' lawyers, insisted they were honest men, and, therefore, unexceptionable, they were immediately called to the book and sworn." Three of them were "New Lights"—George Dabney, Samuel Morris, and Roger Shackelford; but what had Parson Maury expected in the county of Hanover, with its lingering echoes of the great dissenter's eloquence?

The hearing now began. Lyons, for Maury, introduced the bond of the defendants as collectors and the vestry's order for a levy, 1759, in behalf of the plaintiff. Then he examined two tobacco-dealers, to determine the price of tobacco that year, and rested his evidence. The defence introduced Maury's receipt for the sum paid, and rested its evidence. It appeared that while Maury had received but £144, he was entitled to three times that sum. So Judge Lyons urged in the plea which he forthwith made to the jury. Having, in conclusion, eulogized the ministers of the Anglican Church throughout the Old Dominion, the accomplished and graceful speaker resumed his seat.

Then Henry arose. His manner was in unhappy contrast with that of his antagonist. Through the eyes of tradition we can see him now as he stood abashed before the court, the array of clerical dignitaries, and the pack of people who looked upon him neither with favor nor in disfavor, but tolerantly, excusing his youth, his awkwardness, and his faltering tongue.

For Patrick faltered. The words he wished to use flew out of his reach. There were hesitations. There were pauses. People hung their heads. The parsons gave sidelong glances at each other, up and down their bench. It was a sly if mute way of saying: "The bumpkin! Look at him! What have we to fear from such a man?" His father, ashamed of him, sank back in his seat. This, then, was that son of his who had plunged into the law! Evidently Patrick's talents were

better suited to stump-grubbing on "Pine Slash" farm. Sorry news for his mother, this; a mortifying situation.

But in a few moments Patrick mastered his tongue. Fortunately, there was that in his voice which was as a challenge to the listener, be he friendly or hostile. It was a manly voice, free from artificialities, and there was an appeal in it. No sooner had he found his lost words than he began to put them together and modulate them and send them where he pleased. It was a sending voice—it fell pleasantly upon the ears of those who sat beside him, and at the same time reached the ears of those who, standing in the court-yard, pressed inward or tiptoed to get a glimpse of the scene. Some old farmer on the outskirts of the crowd might well have said: "With that voice of his, Patrick could make love in a corner, or call a hound a mile away." The very pauses, at first so painful, because they foretokened a breakdown, now became effective. They had a purpose—these later pauses. They meant: "Is not this true, my friends? Think a moment—your heads are your own. These things I have just said to you—are they not so? Come, in all conscience, now, are they not God's truth?" It was like the act of a hunter who, running on ahead, would stop, turn, and beckon to those who followed. So the people in the court-room followed Patrick in his argument; and when he paused, they closed up quickly, eager to move on.

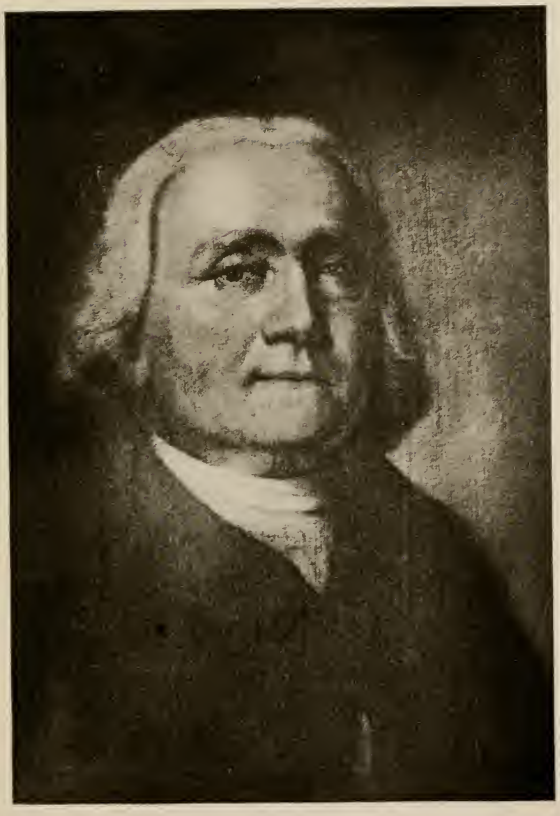
As yet, however, the twenty parsons on the bench were not at all distressed. To them this was a harangue—an ad captandum talk, incapable of effect. Some were unappreciative of the power of sincere speech upon the breasts of men. They themselves were much given to thrusting their noses down towards the lectern and droning the Word of God into the cushion. They felt, too, that the upstart and intemperate orator was beyond his depth. What! This youth who but

lately had swung a plow, and wormed tobacco, discoursing on the duties of his Majesty the King of England!

Sure enough, Patrick was essaying much and risking much. Few of his spoken words have come down to us, but his argument ran: There was a mutuality of obligation upon King and people. Between them there were binding covenants tantamount to a solemn contract. It was for the King to protect; it was for the people to sustain and obey. If either broke a covenant, then was the other free from obligation. In Virginia the Burgesses were the House of Commons; the Council the House of Lords; the Governor the King. The law of 1758, approved by Burgesses, Council, and Governor, was a good law, a salutary law, a valid law—and its disallowance by King George was an instance of misrule.

At this stage a great change came over him. His mind seemed to gain a glow from its own action; and now, says Wirt, "was first witnessed that mysterious and almost supernatural transformation of appearance which the fire of his own eloquence never failed to work in him." His attitude became erect and lofty; his action graceful and commanding; his voice a veritable power and persuasion. Genius lit him and flashed from him, and what he did as well as what he said served to infect, to thrill, to captivate. Some twenty minutes before, he had been as a lout in his own father's eyes; now tears ran down his father's cheeks. All the justices bent forward. Every one now recognized the presence there of a great orator.

He continued, still boldly speaking of the sovereign. What of a king who disallows a salutary act such as the act at issue? He ceases to be the father of his people. He forfeits all right to the obedience of his subjects. He degenerates into a tyrant.



Your most obed^t Servt

Pet Lyons

(King's counsel in the "Parsons' Cause." He succeeded Judge Edmund Pendleton as President of the Supreme Court of Appeals of Virginia. From Thomas Sully's painting, in the court-room at Richmond.)

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Judge Lyons arose in heat.

"The gentleman has spoken treason," he cried, "and I am astonished that your Worships can hear it without emotion or any mark of dissatisfaction."

"Treason, treason," came in a murmur from behind the bar.

But the justices refused to stay the orator, who now turned upon the clergy. It was their work in life, he said, to safeguard the people in high matters unregulated by the secular laws. If they failed in this, they failed in everything, and were of no use in the great body politic. Was a clergyman to set an example of selfishness; to want more than his lay brother; to become a grasper, a worldling? Was such a clergyman serving God or was he serving himself? Shame upon greed—shame especially upon pulpit greed! "We have heard a great deal," he said, "about the benevolence and holy zeal of our reverend clergy, but how is this manifested? Do they manifest their zeal in the cause of religion and humanity by practising the mild and benevolent precepts of the Gospel of Jesus? Do they feed the hungry and clothe the naked? Oh, no, gentlemen! Instead of feeding the hungry and clothing the naked, these rapacious harpies would, were their power equal to their will, snatch from the hearth of their honest parishioner his last hoe-cake, from the widow and her orphan children her last milch cow! the last bed—nay, the last blanket, from the lying-in woman!"

This was more than the clergymen present could stand. At once they got up from their bench and filed out into the court-yard. But Henry heeded neither the cries of "treason" nor the rebuke from the clergymen. He went on and on—now persuasive, now vehement. His plea lasted nearly an hour. He spoke of the bondage of the people, and warned the jury that unless they seized upon the opportunity now at hand to sustain the

liberties of the Commonwealth, they would rivet their own chains—perpetuate their own servitude. Yes, they must find for the plaintiff; but let it be for no more than one farthing. One farthing would suffice. And that was the end.

In vain did Judge Lyons, who at once arose, seek to lessen the effect of the powerful plea. The jury was hardly out before it was in again with its verdict—one penny damages.

The victory was complete; for though the parsons would appeal to the General Court, what good would it do them? The matter would go to the King, but his Majesty would think twice before provoking rebellion in such a cause.

There now followed a hearty ovation to the orator. In spite of the sheriff's cries, an uproar arose. The people pressed around Henry, seized him, lifted him to willing shoulders, and, with shouts of jubilation, bore him into the court-yard, where he was so lionized that his head would surely have been turned had he been a less sensible man.

Not only was he proof against this flattery, but he had it in heart to go find good Mr. Maury and beg his pardon for whatever offence he might have given him in assailing the gentlemen of the cloth. And just here there comes in a curious matter upon which the student of Patrick Henry's character may speculate as he pleases. "He apologized to me for what he had said," writes Maury to his friend Camm, "alleging that his sole view in engaging in the cause, and in saying what he had, was to render himself popular. You see, then," he adds, "it is so clear a point in this person's opinion that the ready road to popularity here is to trample underfoot the interests of religion, the rights of the church, and the prerogatives of the crown."

Smarting under defeat, Mr. Maury may have made

more out of a chance remark, uttered in excitement, than was meant by the orator, who certainly was not a demagogue. So good an authority as Charles Campbell says that Henry "endeared himself to the people, though he never courted their favor by flattery." It is doubtless true that popularity was sweet to him; and it is a further fact that the wish to get on in the law led him to smother his compunctions in this instance and voice the radicalism of rising democracy.

But whether Patrick sought to placate Mr. Maury on account of Episcopal friendship or good-heartedness or remorse, there is no reason to think that he did so through fear. For a while, indeed, the parsons were of the mind to have him up for treason; but retaliation was impracticable.* He lost a few friends, but gained many, adding 164 new clients to his list within a year. Whether his first client, Mr. Cootes, of Cootes and Crosse, a Scotch merchant and sturdy King's man, ever forgave him does not appear. After court, Mr. Cootes declared that "he would have given a considerable sum out of his own pocket, rather than that his friend Patrick should have been guilty of a crime but little, if anything, inferior to that which brought Simon, Lord Lovat, to the block"; adding that the culprit "exceeded the most seditious and inflammatory harangues of the tribunes of old Rome." Much milder was the paternal comment. We have said that Colonel John Henry refuses to palpitate under the hand. His remark to Judge Edmund Winston was that Patrick spoke "in a manner that surprised me, and showed himself well informed on a subject of which I did not know he had any knowl-

* "It is amusing," says Howison, "to note in Dr. Hawks the struggle between his admiration for Henry's genius and his evident disgust at his success. He insists much upon the demurrer, and expresses the horror of a lawyer at the wide field of discussion which Henry assumed."

edge." The Hanover people at large were more appreciative of Patrick's rare eloquence. In that county it was long customary to say of some orator: "He is almost equal to Patrick Henry when he plead against the parsons." His antagonist, Judge Lyons, also appreciated him, saying: "I could write a letter or draw a declaration or plea at the bar with as much accuracy as I could in my office, under all circumstances, except when Patrick rose to speak; but whenever he rose, although it might be on so trifling a subject as a summons and petition for twenty shillings, I was obliged to lay down my pen, and could not write another word until the speech was finished."

Summing up on the "Parsons' Cause," we find that it gave impetus to popular government and lifted the orator of the Revolution out of an obscurity in which he might otherwise have remained. The Established Church exists in England to this day, but in America the very idea is archaic. When we seek to get at the mental habitude of the parsons of Henry's time, we feel that we are dealing with an age long past. On the other hand, when we come to consider Henry's own outlook upon man and government, we find it like that of the present. His was the onward tendency. His light came out of the future. He thought as we think; or, rather, we think as he did, for he was a pioneer in fundamental American ideas. It was he who in the face of custom brought together various new elements and vitalized them. As Campbell puts it: "Henry's speech in the 'Parsons' Cause,' and the verdict of the jury, may be said in a certain sense to have been the commencement of the Revolution in Virginia; and Hanover, where dissent had appeared, was the starting-point."

V

THE ORATOR OF NATURE—THE STAMP ACT

FAME was less volatile then than now. There were no daily newspapers; there was infrequent use for the word "million"; there was no congestion of celebrities. If in one sense Patrick Henry's world were smaller than ours, in another sense it was larger. People did not see in electric glimpses, as we do; they looked at a thing more leisurely, more steadfastly; they learned to measure well; they remembered for a year what we forget in a day.

By hearsay repute, Henry at twenty-eight was the "Orator of Nature"; but in the main his laurels were local to Hanover—not yet fully Virginian. He still wore his old coat. He still had his way to make among the men who dominated affairs at Williamsburg. These chief men of the colony stood on ground apart—the superior ground of aristocratic cousinship, wealth, knowledge, power, and a long familiarity with the methods of London officialdom. They were rural, it is true; but some of them were elegantly rural, whereas Henry was so rustic as to see no crime in a worn sleeve or a misfit wig.

Perhaps he would not have gone among these men so soon after his Hanover triumph if a client had not required his services at Williamsburg. In the fall of 1764 he journeyed thither to represent Captain Nathaniel West Dandridge, who was contesting the seat of James Littlepage in the House of Burgesses. "Bribery and corruption" was the charge against Littlepage, whose name serves as an interesting reminder. Those who, being in search of romantic characters, have shaken

much dust out of old books and old documents will recall that a Hanover Littlepage once supplied the novelists with a new sort of American hero. But as the hero under present consideration is Patrick himself, it is incumbent upon us to go with him to the Capitol and see how he fared in the presence of the Committee on Privileges and Elections. It is the clear-headed and sharp-eyed Judge John Tyler who once more speaks for us:

"The proud airs of aristocracy, added to the dignified forms of that truly august body, were enough to have deterred any man possessing less firmness and independence of spirit than Mr. Henry. He was ushered with great state and ceremony into the room of the committee, whose chairman was Colonel Bland. Mr. Henry was dressed in very coarse apparel; no one knew anything of him, and scarcely was he treated with decent respect by any one except the chairman, who could not do so much violence to his feelings and principles as to depart, on any occasion, from the delicacy of the gentleman. But the general contempt was soon changed into a general admiration, for Mr. Henry distinguished himself by a copious and brilliant display on the great subject of the rights of suffrage, superior to anything that had been heard before within those walls. Such a burst of eloquence from a man so very plain and ordinary in appearance struck the committee with amazement, so that a deep and perfect silence took place during the speech, and not a sound, but from his lips, was to be heard in the room."

Judge Winston also tells of Henry's rusticity and winsomeness of speech:

"Some time after, a member of the House, speaking to me of this occurrence, said he had for a day or two observed an ill-dressed young man sauntering in the lobby, that he seemed to be a stranger to everybody, and he had not the curiosity to inquire his name, but that attending when the case of a contested election came on, he was surprised to find this same person counsel for one of the parties, and still more so when he delivered an argument superior to anything he ever heard."

Such was Henry's introduction to the Capitol. In a few months he will have returned as a member from Louisa County, so Williamsburg remains the scene for us. And as a great drama, with continental involvement, was opened there in 1765, it is desirable that the town, and the Virginia peninsula midmost of which it stood, shall pass under the eye.

Dr. Lyon Gardiner Tyler speaks of the country between James River and the York as "the cradle of the Union." No one need demur at this, nor yet cry "brag!" Some things are really so. The old piney peninsula was the scene of the first settlement in English America, the first legislative assembly, the first trial by jury, the first habeas corpus case, and the first protest against tyranny. It was the place whence Americans first proclaimed their fundamental doctrine, "No representation, no tax." If John Harvard had permitted, it would have had the first college. It grew the first cotton. It humanely built the first asylum for the insane. Were not the theme somewhat too extrinsic for these pages, many another "first" might be added; and, indeed, it is pertinent as well as important to refer to one more. Here also sprang up the first American "rebel"—Nathaniel Bacon, a man with a spirit so like Henry's that it is essential to take account of him. Bear in mind that Sir William Berkeley, at that time Governor, permitted the Indians to ravage the border. Bacon, in his wrath, beat back the savages, then turned upon the misgoverning deputy of a distant King. Here is the young rebel's manifesto, issued while at war with the passionate old cavalier:

"If virtue be a sin, if piety be guilt, if all the principles of morality and goodness be perverted, we must confess that those who are now called 'Rebels' may be in danger of this high imputation; but if there be, as sure there is, a just God to appeal to, if to plead the cause of the oppressed, if sincerely

to aim at his Majesty's honor and the public good without any reservation or by-interest, if to stand in the gap after so much blood of our dear brethren bought and sold, if, after the loss of a great part of his Majesty's Colony deserted and dispeopled, freely with our lives and estates to endeavor to save the remainder—[if this] be treason, God Almighty judge and let the guilty die."

But the rebellion went to pieces; Bacon died; and Berkeley—then at "Harop," or the "Middle Plantation," Jamestown being in ashes—revenged himself by executing Bacon's friends. "Mr. Drummond," said Berkeley to the chief of these, "you are very welcome. I am more glad to see you than any man in Virginia. Mr. Drummond, you shall be hanged in half an hour." Sure enough, the excellent Drummond was stripped, his ring was torn from his finger, and his spirited and patriotic wife was speedily made a widow.

The spot where Drummond died was on the backbone of the peninsula, ninety feet higher than unlucky and unhealthy Jamestown. It was an inviting place, altogether free from "the Annoyance of Muskettoes." From this ridge one creek ran three miles south to the James; another ran four miles north to the York. Soon Bruton church was built there; next, the "Royal Colledge," designed by Sir Christopher Wren; then a spacious Capitol. Jamestown, in fact, was transplanted —it became Williamsburg.

All who knew Burgess Patrick Henry, and wrote of him or passed on down their opinions concerning him, agree as to one characteristic—he habitually looked about him with sharp eyes. What he saw when he came to the capital in May, 1765, was not a city laid out "in the form of a cypher made of W and M"—the initials of William and Mary—as had been fancifully proposed, but a well-gardened town with one great street, stretching along the ridge for nearly a mile. At the extreme west

end of this avenue was the College; at the extreme east end the Capitol. It was Duke of Gloucester Street, ninety feet wide, lined with shade-trees and enlivened with the traffic, the social flow, and the political activity of a picturesque people. At times a coach with postilions and outriders stirred its dust. A Governor was drawn from the "palace" to the Capitol by six milk-white horses in gorgeous trappings. There were viceregal sights to see at Williamsburg when the Burgesses were in session; and from the palace at this particular period came strange tales to be told with zest over the tables at the Raleigh Tavern. Governor Francis Fauquier, it was said, "gamed furiously" when he made his social tour among the rich planters; "dice rattled, cards appeared, money in immense sums was lost and won." Just now he was giving musical parties, to which each guest brought his violin. Young Thomas Jefferson was one of these guests, and so, in course of time, would Henry be; for Patrick had by no means grown grave enough to disregard the scrape of the fiddle.

Yet grave he must have been during the last ten days of that memorable month of May. He was on trial with himself. It is not true, however, that the people had put him forward for the express purpose of tearing the Stamp Act to pieces. William Wirt was wrong here; and the painstaking and luminous Howison fell into error when he wrote: "With a special view to the debate on the Stamp Act, William Johnson, of Louisa, vacated his seat in the House of Burgesses, and made way for Patrick Henry, who on the 20th of May was placed on the Committee for Courts of Justice." It is like taking the poetry out of a fine matter to deny that Henry was purposely sent to the House that he might discipline King, Lords, and Commons; for how much more thrilling history would be if everything happened in dramatic sequence, logically and coherently! The

simple fact is that Johnson resigned to become Coroner. No doubt Henry was selected because of his fitness to fill the vacancy, and no doubt Grenville's purpose to tax America was a sore subject, but the House was in session before any one in Virginia knew of the passage of the odious act.

Henry spent nine days in the House during this session. It is hard to give a just and adequate portraiture of his fellow-members. The temptation is to overpraise them—to exaggerate their nobility of character. They belong among the founders of the nation. There is a glamour about them. Can any American who reads Hugh Blair Grigsby's eulogy of the members of the Convention of 1776 doubt his grasp of fact or accuracy of estimate? Yet, for the most part, the same men who figure in his memorabilia were seated in the hall of the House of Burgesses when Henry entered it for the first time. It must be true that there was an exceptionally large proportion of high-principled men among them. But, here, in this republic, we are accused of inability to take the measure of our heroes. Hence one may think that Grigsby, in his glow of admiration, found giants where only poor human creatures of common stature stood. For the satisfaction of those who shy at the good Grigsby we shall therefore call upon an Englishman of repute to set us straight—A. G. Bradley, who says:

"That the three millions of Anglo-Saxons then in America produced at that period a memorable crop of brilliant men, is a fact beyond question. This excessive supply was due partly, no doubt, to accident, but also in a great measure to the wide diffusion of internal responsibility. This again was abnormally developed by the great intercontinental questions which agitated the colonies for many years."

Next let us note a passage by William Cabell Rives:

"If such men were, in a certain sense, an aristocracy, it was an aristocracy pledged by its very nature to the general good, and constituted, by the advantages of superior fortune and education, the vigilant sentinels and faithful guardians of the common safety. They were the natural leaders of the people in a crisis of public danger."

All told, the members of the House numbered one hundred and sixteen. There were four Lees, three Carters, two of the ancient Digges family, two Blands, two Bollings, two Carringtons, two Pages, two Paynes, two Pendletons, and two Randolphs. Hardly a family of aristocrats but had its member.

Washington was there—a quiet man, who at once made friends with Henry. Much like Washington in looks, manners, and public spirit was William Cabell, who lived a baronial life on the James. But, though big of body, he did not rise in mental stature to the height of many another blue-eyed six-footer there present. Perhaps Benjamin Harrison, also a man of bulk, lacked somewhat in the intellectual qualities of such subtle reasoners as Bland, the constitutionalist; but sound sense, and that liveliness of spirit for which his family was known, compensated for the want. "I went out to Charing Cross to see Major-General Harrison hanged, drawn, and quartered," said Pepys, in his "Diary"; "which was done there, he looking as cheerful as any man could do in that condition." Tall Paul Carrington, whom the Revolutionary struggle made one of the gravest, as he was one of the best of men; Robert Carter Nicholas, the leading lawyer of the colony, and the quick-tempered Archibald Cary, small of stature, fiery, with the handsome looks of his race—even these were less distinguished than others who sat below the dais, where Speaker John Robinson had been enchaired for a quarter of a century. Peyton Randolph we have met; but there remain three celebrities of whom to tell—Lee,

Pendleton, and Wythe. The chief of "the brilliant Lee brotherhood"—Richard Henry—was tall and spare. If Cicero's nose were "Roman," then Lee was like him in two respects, for the old Virginians affirm that Richard Henry also had Cicero's tongue. Next, Edmund Pendleton, of whom Jefferson says:

"Taken all in all, he was the ablest man in debate I ever met; he was cool, smooth, and persuasive; his language flowing, chaste, and embellished; his conceptions quick, acute, and full of resource; add to this that he was one of the most virtuous of men, the kindest friend, the most amiable and pleasant of companions."

Are there too many superlatives here? Jefferson was by no means quick to praise the men of his time. For fifty years Pendleton served his country; and so did the same George Wythe (call it "with") who had bowed our Patrick out when Patrick wanted a lawyer's license, and who was now about to discover that appearances are sometimes deceptive. Wythe was slender, with overarching forehead, Roman nose, broad chin, and dark gray eyes. His head was largely filled with law, and what space law left was enriched with the wisdom of the ages. Out of his archaic mouth came quaint locutions pat to the hour.*

That these men were of clay we all know; but they seem to have been of an uncommonly good grade of it. Nothing so humanizes them to our minds as Jefferson's account of an incident in the House shortly after Henry had taken his seat. It was proposed to borrow £240,000. Of this sum £100,000 was to be used to redeem the paper

* Wythe was poisoned by a great-nephew who expected to come in as heir. Nowadays the Wythe house, facing "Palace Green," is "haunted." Wythe returns because he is distrait—unconvinced of the regularity of the final proceedings in his case.

money issued during the French War, and £140,000 was to be loaned. Jefferson says:

"The gentlemen of this country had, at that time, become deeply involved in that state of indebtment which has since ended in so general a crush of their fortunes. Mr. Robinson, the Speaker, was also the Treasurer, an officer always chosen by the Assembly. He was an excellent man, liberal, friendly, and rich. He had been drawn in to lend, on his own account, great sums of money to persons of this description, and especially those who were of the Assembly. He used freely for this purpose the public money, confiding for its replacement in his own means, and the securities he had taken on those loans. About this time, however, he became sensible that his deficit to the public was become so enormous as that a discovery must soon take place, for as yet the public had no suspicion of it. He devised, therefore, with his friends in the Assembly, a plan for a public loan office, to a certain amount, from which money might be lent on public account, and on good landed security, to individuals. I find in Royle's *Virginia Gazette*, of May 7, 1765, this proposition for a loan office presented, its advantages detailed, and the plan explained. It seems to have been done by a borrowing member, from the feeling with which the motives are expressed, and to have been preparatory to the intended motion. The motion for a loan office was accordingly brought forward in the House of Burgesses, and had it succeeded, the debts due to Robinson on these loans would have been transferred to the public, and his deficit thus completely covered. This state of things, however, was not yet known; but Mr. Henry attacked the scheme on other general grounds, in that style of bold, grand, and overwhelming eloquence for which he became so justly celebrated afterwards. I had been intimate with him from the year 1759–60, and felt an interest in what concerned him; and I can never forget a particular exclamation of his in the debate, which electrified his hearers. It had been urged that, from certain unhappy circumstances of the colony, men of substantial property had contracted debts, which, if exacted suddenly, must ruin them and their families, but with a little indulgence of time might be paid with ease. 'What, sir,' exclaimed Mr. Henry, in animadverting on this, 'is it proposed then to reclaim the spendthrift from his dissipation and extravagance by filling his pockets with money?' These expressions are indelibly impressed on my memory. He laid open with so much energy

the spirit of favoritism on which the proposition was founded, and the abuses to which it would lead, that it was crushed in its birth. He carried with him all the members of the upper counties, and left a minority composed merely of the aristocracy of the country. From this time his popularity swelled apace; and Mr. Robinson dying the year afterward, his deficit was brought to light, and discovered the true object of the proposition."

Thus, within three days after his induction into this notable body, Henry had made his presence felt. By his common-sense, by his instinctive championship of the people, and by his power as a speaker, he had won to his side many members from the newer counties, and had drawn upon himself the admiring, if critical, glances of the great "Tuckahoes." But Jefferson is in error on one point. It is not a matter of record that Henry defeated the loan office plan in the House of Burgesses. The measure was carried through that body by Robinson's adherents, only to be speedily disapproved by the Council. The most important outcome of the matter was that it gave Henry all the footing he needed for a straightaway advance in a controversy which now disturbed the thinking men of the entire continent.

We here come to a story that is dry or dramatic—that palls upon us or thrills us—according to the way in which we permit ourselves to consider it. Dry, indeed, it is if we go at this oft-told Stamp Act story and merely rehearse the customary names, dates, and facts, without regard to the human element beneath them. But if we betake ourselves to England, and look at the troubled world awhile through the eyes of the young King, the old quarrel becomes new, and all its comedies and tragedies take on the human savor. Therefore, let us bring forward some of the persons and personages of the play—the historical drama of King George III.

The argument drops into the present tense, after the good old fashion of such abstracts, and runs:

At Cliveden a rain-shower breaks up a cricket-game and Frederick, the heir-apparent, is driven indoors. Whist would relieve the ennui of his Royal Highness, but that some one is needed to make up a rubber. At the side of the family doctor, in a gig, sits an unknown nobleman. The stranger is asked to take a hand. He is tall, charming, a fine talker. His legs, especially, are "the theme of general admiration" among the court ladies. At once he wins Prince, Princess, and the young Prince. He is John Stuart, Earl of Bute—soon to be known far and wide as "the Scotch favorite." When Frederick dies, Bute becomes nearer than ever to the Princess Dowager—nearer and dearer. The scandalmongers notice it, but the scandalmongers themselves are not worthy of notice. Bute reads the manuscript of Blackstone to the young Prince, and points out for him the beauties of Bolingbroke's "Patriot King." "George, be King!" says the Princess Dowager; and Bute echoes, "George, be King!" By and by the old German grandfather dies, and George III. comes to the crown. Sure enough, the old days are over. Whiggery is spent and done. No more shall ministers rule. In evidence of his kingliness, George gives up his sweetheart. He loves Lady Sarah Lennox, but sacrifices himself and her, and weds Sophia. He means to lead a pure life, a strong life. "George, be King!" is not simply a pious motto, but expresses now his master-passion. To him a constitutional monarch is "a monarch in fetters." All hail Myself!

So far your playwright skims, alert for material out of which to construct his drama. Then he pauses long. He has come upon an incident that is full of meaning. Around it he writes his first scene. It is not where the peruke-makers visit the King and beg him, in the name

of bread-and-butter, to wear a wig; it is not where the hatters come bowing and scraping, with their hats off—these incidents but lend themselves to comedy. It is not even a matter connected with the exasperating Wilkes case. True, his Majesty wants to be King to the London peruke-makers and hatters, as well as to the bear-hunters on the distant Ohio; but the tragedy does not begin with perukes and hats and bearskins; nor yet with Wilkes, who is vastly more trouble in jail than out. It begins when King George turns his back on William Pitt, the competent man, and puts power into the hands of Bute, the incompetent. Pitt is "the Great Commoner"—the organizer of victory. He is of lofty spirit. He is well-grounded in the British Constitution. Before the gout goes from his feet to his head, he is wise, safe, far-sighted—a well-tried, a triumphant, a powerful minister. Where on this rolling planet is there an empire-builder comparable with Pitt? Bute is so "slow and pompous" in speech that the wags call him "the Parliamentary minute-gun." He is "the obstinate minister of an obstinate King." But "Lord Bute is my very good friend," says his Majesty. It is "the era of the King's friends." Pitt's brother-in-law, George Grenville, is one of these—also an incompetent. He "moves in a world of formulas and abstractions." He knows figures, but not men. Few of the King's friends know human nature, indeed.

Nor have they an imperial horizon. This is shown by their myopic view of America. Equable and even magnanimous in the treatment of her distant colonies, Nineteenth Century England would rarely slip from her high plane of imperial conduct; but Eighteenth Century England regards her raw regions over sea with monopolistic eye. She restricts their trade as she pleases, and exploits them. She tells them what they may make and what not make. She defines their markets. She selects

the tallest trees in the free wilderness for royal spars, and the colonist must stay his axe. She is begged to stop the slave trade, but refuses to do so because the crown profits thereby. Of course, the welfare of America is a consideration with King and Parliament, but often it is a secondary consideration. At bottom the policy is commercial. It is selfish. London is the centre of things, and London is to be fed with the world's best blood. Help the extremities of the empire if possible, but feed and enrich England at all events—King, court favorites, the commercial lords of the realm. People living on the outer edge of the world should not expect too much. They have their churches, and so may get to heaven—that ought to be enough.

In living up to the motto, "George, be King," his Majesty not only dismisses his sweetheart and his great minister, but determines to enforce a certain obsolete colonial law. Bute's Lansdowne House has become a royal music-hall, and there, while the fiddles play, King George and the Scotch earl fill each other's ears with the words "America," "Boston," "smuggling," and the like. Why make trade laws for the benefit of the British West Indies and permit New Englanders to nullify them? Were not crown officers in collusion with the smugglers? Was there not utter demoralization in that quarter? Humph! The illicit trade must stop. Since the law is a dead-letter, it shall have the royal breath breathed into it, and then it will be alive.

Worse still, the sturdy English people have somehow got it into their heads that it is right to tax the Americans. Why not? Of the one hundred and forty millions just added to the debt, sixty millions have been spent in driving the French off the American Continent. Whigs there are with better instincts in this matter of arbitrary taxation. Pitt sees clearly that each colony "has its own parliament"; but the King does not wish

it to be so, and will not admit that it is so. "An Englishman," protests Burke, "is the unfittest person on earth to argue another Englishman into slavery." But the King hopes to crush the Whigs, and he forgets what even that bad man and bad monarch, Charles II., was pleased to remember and give assurance of: "Taxes ought not to be laid on the inhabitants and proprietors of the colonies but by the consent of the General Assembly." He forgets Sir Robert Walpole's exclamation when advised to do the thing now about to be done: "What! I have old England against me; and do you think I will have New England likewise?" He fails to see that, being rid of the French, the colonists will no longer need the British; and that they have weighed the redcoat and found him wanting in forest warfare. George III., indeed, forgets or ignores many facts—that the colonists put 25,000 men into the field; that they incurred a war debt of their own of two and a half millions; that they are already stripped to the shirt by taxes; that their trade is onerously fettered by navigation laws made in the interest of England; that the bloody Indian menace is constantly upon their border; that to lay them open to any tax at any time by any Parliament would be to depreciate all values among them, and turn freemen into a subject people. "Zounds!" says Squire Western; "I won't ha' ut. Ain't she my daughter? She shall marry 'um!" "Zounds!" says England, drowning the voices of such men as Barré and Burke; "ain't she my daughter? She shall pay 'um!"

There is ample popular backing, so the King, who develops "an extraordinary propensity for seeing only the wrong side of a case," causes Grenville to devise a colonial plan. Grenville's idea is to quarter 20,000 soldiers in America, and to raise £300,000 a year there for their support. Accordingly, he elaborates a Stamp Act, with fifty-four sections. The stamps are

to vary in value from half a penny to £10, and are to be affixed or impressed upon deeds, wills, clearance papers, newspapers, almanacs, and the like. Grenville talks to his Majesty volubly—tediously. He tries to get the King in his power; and the King, for his part, is trying to get his kingdom underfoot. The King also talks a great deal—so fast that people cannot understand him. He certainly is not a great, or even sagacious, man. His mind is not as expansive as his now wonderful realm. Indeed, in the language of the English historian Green, here is a ruler with "a smaller mind than any English King before him since James II." But, as the grim stage-poet sees, George III. figures well in scenes that make for tragedy. Something frightful haunts him. He is often cupped, but cupping does not cure. The mixture of hatters and peruke-makers and mad hares crying, "George, be King!" is too much for an honest, well-meaning gentleman who has fallen into the error of thinking himself more than a man.

At this point we may quit England and those who had to do with the genesis of the taxation storm, and come again to Virginia. On the way back, it is fit that we should tarry in Boston long enough to bring James Otis and the contest of 1761 sharply to mind. Laws that interrupt the natural flow of trade are in contempt of human reason; hence they breed lawbreakers. England herself then harbored some 40,000 smugglers—Tom Paine, imagine it! being an exciseman; and New England certainly sheltered great numbers of them. The New Englanders sailed a thousand vessels in their fisheries and half a thousand in their over-sea trade. It suited them to court prosperity by evading navigation laws that had become practically obsolete. But George III. attempted to enforce these laws. Armed with "Writs of Assistance," his officers entered any house they pleased—thus brutalizing life and making a

mockery of freedom. This it was that gave the eloquent Otis his theme when he appeared as the champion of the people in the Town Hall, Boston, before a bench of bewigged justices in scarlet cloth, and spoke to the text, "A man's house is his castle." "A flaming patriot," Governor Hutchinson called him. "Then and there," said John Adams, "the child Independence was born." In a word, Otis was to the Northern colonies what Patrick Henry was to the Southern; but, as Wells, in his "Life of Samuel Adams," reminds us, "the argument of Otis was not the prologue of the great drama, for it did not then begin. The American Revolution was caused by, and opened with, the revenue acts. The direct issue was the raising of a revenue from the colonies without their consent, and without their being represented in Parliament."

When news reached America that the Grenville Stamp Act was indeed a law, and would go into effect on All Saints' Day, November 1, 1765, the various colonies prepared to execute it. Even Otis said: "It is the duty of all humbly and silently to acquiesce in all the decisions of the supreme legislature." In not one of the colonies was there a definite purpose to resist the imposition of the tax. The tone throughout was that of remonstrance. Despondency was everywhere.

There were many remonstrants, even supplicants, in the Old Dominion. In recounting the colonial glories of the Williamsburg Peninsula, enough was said to indicate that Virginia had long sought to incorporate in its polity the spirit and guarantees of manhood's rights. There was in the colony a powerful body of opinion, and its spokesmen were such conservatives as Richard Bland, Peyton Randolph, Edmund Pendleton, George Wythe, and Richard Henry Lee. But they were so habituated to acquiescence in matters affecting loyalty that it did not occur to them to do other than curb their tongues,

talk in whispers when criticising his Majesty, and write guardedly when sending their protests to the London government. In fact, Richard Henry Lee was willing to take office under the Stamp law. A committee of the House of Burgesses had forwarded an address "to the King's most excellent Majesty," a memorial "to the Right Honourable the Lords Spiritual and Temporal," and a remonstrance to the House of Commons. The tone of the first two was suppliant—dutiful, conciliatory; but the remonstrance to the Commons had a high spirit of manliness. It was written by Wythe; and we find a measure of how matters stood prior to Henry's appearance upon the scene, in the fact that Wythe's conscience troubled him lest he had written some passage that might be construed as treasonable. He did not mean to draw down upon himself the application of such a horrid word. Among the great "Tuckahoes" there was much indignation against King and Parliament; but every man of high influence shrank from the odium that seemed sure to follow the cry "Resist!"

It was Henry who spoke the word—who raised the cry.

The "Old Capitol," where he made his Stamp Act speech, is gone. The visitor to the spot sees an open square at the town's end. Round about are old-fashioned buildings shaded by sycamores, "honeyshuck" trees, and beautiful crape-myrtles. In the centre of the square the foundation walls are traced in masonry. The effect is as if a huge "H" had been marked out upon the grass, which one knows to be sheep-mint because of the balmy smell in the air when it is bruised with the foot. The bar of the "H" stands for a broad passage that connected the main parts of the two-story brick edifice. The hall of the House of Burgesses was on the ground floor in the western half, and the Council Chamber was above.

An old print pictures for us a front with many windows and a tall portico.* Such was the "Heart of the Revolution" in Virginia.

Henry might well be imagined as standing with his half-brother, Burgess John Syme, among the "Qo'hees" at this porticoed entrance on the morning of the 29th of May—his 29th birthday. Let us remember that there were two grand divisions of men in Virginia—our aristocratic friends, the "Tuckahoes," from the thirty-five counties on tidewater, and the "Qo'hees," in buckskin breeches, from the twenty-one upper counties.† But locally, in Stamp Act times, there was another way of distinguishing the parties: the King's people were called "Old Field Nags," and those of whom Henry was about to take the lead were known as "High-blooded Colts." In the main, these latter were young men—brave bor-

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*"In shape," says John Esten Cooke, "the Old Capitol resembled an 'H'—a covered gallery 30 feet in length, surmounted by a cupola and clock, connecting the two wings. The fronts on each side were approached through lofty porticoes, with iron balconies above; and double doors, each six feet wide, gave access to the hall and the corresponding room on the other side, which was that of the General Court. The hall was 50 feet long and 25 feet wide, with a floor of flagstones." The building was burned in April, 1832.

† Edward W. James, of Norfolk, whose antiquarian studies have led him to examine many inventories, warns the writer of this book against the fallacy that the Virginians were divided into "the very rich and very poor." Most of them were neither the one nor the other. In like manner, Dr. Lyon G. Tyler warns him against the pitfall of a magnified colonial aristocracy. He says: "The democratic spirit was progressive, and long antecedent to the American Revolution. . . . Patrick Henry would never have written his resolutions on the Stamp Act, nor Mason his celebrated Bill of Rights, unless they had been bred among a people accustomed to liberty. . . . Dinwiddie and Spotswood fully admitted, years before, the free spirit of the Virginians."

derers—poor, pushing, and perhaps impatient of the parliamentary restraints put upon them by custom; for, as Rives remarks, "the House of Burgesses was organized with a scrupulous observance of all the stereotyped regal formalities." One of the "Qo'hees," having uttered an oath in debate, was made to stand while the Speaker reprimanded him in due form and with impressive solemnity; and, as it is further related, at the end of the proceeding the culprit set up a devil-may-care whistle, whereat the whole House laughed. King George may have been sovereign lord and master among the perukemakers of London, but he was not so regarded by the free-footed "buckskins" who knew the color of the mountains, and who yearned to cross them, passing West.

Since the session was drawing to a close, many members had left town; therefore the House was slim. Governor Fauquier says that but thirty-nine were present. We may, if we please, enter the hall, preëmpt a vacant seat, and use our eyes and ears. We shall see that Speaker Robinson, still hiding his private ruin under public show, sat in dignity upon a dais. A gilded rod upheld a red canopy above him. In front and below was a table, by which sat the clerk, and upon which rested a silver mace. Some of the Burgesses were in velvet dress, with ruffles and powdered hair, others in rough cloth and buckskin.

And now for action. Henry's helper, George Johnston, of Fairfax—lawyer, scholar, man of character, and champion of liberty—took the floor. He moved that the House go into Committee of the Whole to consider the Stamp Act. Henry seconded the motion, which was carried; the clerk put the mace under the table; Robinson gave way as presiding officer to Attorney-General Peyton Randolph; and the Burgesses were in Committee of the Whole. Thereupon Henry introduced a

series of resolutions—some say six, some say seven—which he had written on the blank leaf of an old copy of "Coke upon Littleton." Thanks to Henry himself, we are certain as to the exact wording of the first five, which, with their preamble, ran as follows:

"*Whereas,* The honorable House of Commons in England have of late drawn into question how far the General Assembly of this Colony hath power to enact laws for laying of taxes and imposing duties, payable by the people of this his Majesty's most ancient colony: for settling and ascertaining the same to all future times, the House of Burgesses of this present General Assembly have come to the following resolves:

"*Resolved,* That the first adventurers and settlers of this his Majesty's colony and dominion brought with them, and transmitted to their posterity, and all other his Majesty's subjects since inhabiting in this his Majesty's said colony, all the privileges, franchises, and immunities that have at any time been held, enjoyed, and possessed by the people of Great Britain.

"*Resolved,* That by two royal charters, granted by King James the First, the colonists aforesaid are declared entitled to all the privileges, liberties, and immunities of denizens and natural-born subjects, to all intents and purposes as if they had been abiding and born within the realm of England.

"*Resolved,* That the taxation of the people by themselves, or by persons chosen by themselves to represent them, who can only know what taxes the people are able to bear, and the easiest mode of raising them, and are equally affected by such taxes themselves, is the distinguishing characteristick of British freedom, and without which the ancient Constitution cannot exist.

"*Resolved,* That his Majesty's liege people of this most ancient colony have uninterruptedly enjoyed the right of being thus governed by their own Assembly in the article of their taxes and internal police, and that the same hath never been forfeited or any other way given up, but hath been constantly recognized by the Kings and people of Great Britain.

"*Resolved, therefore,* That the General Assembly of this colony have the only and sole exclusive right and power to lay taxes and impositions upon the inhabitants of this colony, and that every attempt to vest such power in any person or

HENRY IN THE HOUSE OF BURGESSES

(P. H. Rothermel's idealization of the scene when the orator provoked protesting cries of "Treason! Treason!")

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persons whatsoever, other than the General Assembly aforesaid, has a manifest tendency to destroy British as well as American freedom."

At once the Burgesses became open-eyed; then animated; then excited. Phrased in language peculiar to such documents of state, the resolutions nevertheless were essentially freighted with patriotic meaning. Here was something strong—something dangerous, indeed, something that might attaint. Here, practically, was defiance of a great power.

Soon the air was so surcharged as to possess that galvanic quality which sets the blood going and quickens all the senses. Cautious tongues lost their bridle. There was plain speaking—there was no lack of vehemence. Quick to grasp the grave purport of the matter thus thrown into the proceedings of a body they were accustomed to control, the older Burgesses drew together in opposition; the more daring members supported and applauded the newly risen leader. But though George Johnston, of Fairfax, Robert Munford, of Mecklenburg, and John Fleming, of Cumberland, spoke in favor of the resolutions, Henry was the mainstay in their defence and the driving power in their advocacy. Men like Wythe and Peyton Randolph "saw at once," says Howison, "the broad line between their feeble memorials and these nervous and manly protests. They felt that the last resolution, in particular, arraigned the English legislature, King, Lords, and Commons, before them, and boldly charged them with despotism and tyranny. But Henry was equal to the task he had assumed. Now at length he had a theme worthy of himself—not confined by technical rules or provincial limits, but broad as the British empire, affecting the rights of mankind, and appealing at once to the highest powers of the intellect and the warmest feelings of the heart. He rejoiced in his subject, and, grasping it like a giant, he expanded

it before his astonished hearers, until its sublimity began to force itself upon them. His words were pregnant with a nation's freedom."

Thus far it is safe to follow Howison; but when he begins to skeletonize Henry's argument, he cites Burk, whose account has been questioned. Wirt frankly admits his inability to reconstruct the argument. So Howison's further summary can be regarded only as an echo of tradition. But here it is:

"He [Henry] reasoned upon the chartered rights of the colony; he unfolded the written grants of English monarchs, even in an age of servitude, and showed the clauses guaranteeing the privileges of America. He explored the depths of the British Constitution, and, by long-established precedents, proved the connection between taxes and the free consent of the people; then, leaving charters and human conventions, he entered upon an inquiry into the natural rights of man, and announced doctrines then almost unheard, but which have since become the basis of our government." *

There is no question as to the very words used in Henry's flaming climax. "I attended the debate at the door of the lobby of the House of Burgesses," writes Thomas Jefferson, in his "Autobiography"—he was still a student—"and heard the splendid display of Mr. Henry's talents as a popular orator. They were great indeed; such as I have never heard from any other man. He appeared to me to speak as Homer wrote." Again, in his letter to Wirt, Jefferson says:

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* John Burk, "an ardent, sanguine, and bold genius," puts two eloquent passages into Henry's mouth on this theme of rights "derived from the God of nature," but where he got them, if not out of his own excellent imagination, no one knows. Nevertheless, it should be remembered that Burk probably talked with men who had heard Henry make this great Stamp Act speech. Burk, killed in a duel, had no opportunity to substantiate his assertions.

"Mr. Henry moved and Mr. Johnston seconded these resolutions successively. They were opposed by Messrs. Randolph, Bland, Pendleton, Wythe, and all the old members, whose influence in the House had, till then, been unbroken. They did it, not from any question of our rights, but on the ground that the same sentiments had been, at their preceding session, expressed in a more conciliatory form, to which the answers were not yet received. But torrents of sublime eloquence from Henry, backed by the solid reasoning of Johnston, prevailed. The last, however, and strongest resolution was carried by but a single vote. The debate on it was most bloody."

How much of the battle took place on the 29th and how much on the 30th is unknown. The written journal is missing. The printed journal says that when, on the 29th, the Committee reported the resolutions, it was ordered that the report be received on the morrow. On the 30th, the five resolutions were thrice read in the House, and the fierce contest was resumed.

Now, such is our familiarity with Henry's telling passages while speaking on the fifth resolution, that at this day they fail to stir us as they stirred young Jefferson and stirred all who heard them in the heat and glory of that "most bloody" debate. Just as parody has strumpeted the beauty of many Shakespearean figures, so the mouth of boy and man has practised upon these passages until it is difficult to make them seem other than a commonplace of elocution. Yet Judge Paul Carrington declares that Henry's eloquence was "beyond all power of description"; and others present testify that the outburst came as a fit and glorious climax to the long forensic struggle that gave the Revolution its initial impulse. In a voice and with a manner that startled those even who were aware of his virile nature and masterful tongue, Henry said:

"Tarquin and Cæsar had each his Brutus, Charles the First his Cromwell, and George the Third—" He paused.

"Treason!" came in a shout from the Speaker, high on his dais. "Treason! Treason!" cried many Burgesses.

Then, in no haste, but with impressive access of dignity—growing visibly taller, until he seemed the very embodiment of resolute manhood—he spoke his final words:

"——may profit by their example! If *this* be treason, make the most of it."

It was, indeed, "a warning flash from history." Neither young Jefferson nor young John Tyler, who stood side by side in the lobby, needed to put upon paper, for memory's sake, such words as these. Tyler's mental picture of the scene long remained most vivid. Jefferson stood at the door of communication between the House and the lobby during the whole debate and vote, which was twenty-two for and seventeen against the resolutions. The vote on the fifth resolution was twenty to nineteen. Jefferson says:

"I well remember that, after the members on the division were told and declared from the chair, Peyton Randolph (the Attorney-General) came out at the door where I was standing, and said, as he entered the lobby: 'By God, I would have given 500 guineas for a single vote;' for one would have divided the House, and Robinson was in the chair, who he knew would have negatived the resolution. Mr. Henry left town that evening, and the next morning, before the meeting of the House, Colonel Peter Randolph, then of the Council, came to the Hall of the Burgesses, and sat at the clerk's table till the House-bell rang, thumbing over the volumes of journals to find a precedent for expunging a vote of the House, which he said had taken place while he was a member or clerk of the House, I do not recollect which. I stood by him at the end of the table a considerable part of the time, looking on, as he turned over the leaves, but I do not recollect whether he found the erasure. In the meantime, some of the timid members, who had voted for the strongest resolution, had become alarmed, and as soon as the House met, a motion was made and carried to expunge it from the journal."

This was the fifth resolution, which had been carried by a vote that could not have been bought for five hundred guineas or any other sum. It was the vote of Thomas Lewis. There was many a romance wrapped up in the lives of the men on the floor of the House of Burgesses, but no family tale would better fit into a novel than that of the immigrant Lewis, father of Thomas, who with his own hand slew a hectoring Irish lord, and, fleeing hither, brought up his sons to be brave Virginia borderers.

Doubtless Governor Fauquier would not have been relieved of the humiliating necessity of forwarding this fifth resolution to the Lords of Trade if Henry had remained in Williamsburg a day longer. But in Grigsby we have a glimpse of him, immediately after his victory, "passing along the street, on his way to his home in Louisa, clad in a pair of leather breeches, his saddlebags on his arm, leading a lean horse, and chatting with Paul Carrington, who walked by his side." *

Mention has been made of Henry's habitual disregard of memoranda concerning himself. But on this occasion, being actuated by the wish to appear in a true light before his countrymen, he was at pains to preserve the

* P. F. Rothermel's painting, "Patrick Henry in the House of Burgesses, Delivering his Celebrated Speech Against the Stamp Act," took the thousand-dollar prize offered in 1852 by the Art Union of Philadelphia. It did not escape criticism. The Virginia *Historical Register* said: "In the first place, the principal figure, Patrick Henry himself, is glaringly unlike the original, or at least differs greatly from Sully's portrait of it . . . which we take to be altogether authentic. It violates, also, all our settled notions of the orator's appearance and costume; and instead of a plain and unpretending man . . . we have a well dressed actor . . . in his fine scarlet cloak; and, then, instead of that famous old-fashioned wig which he actually wore at the time, and perhaps twisted awry, we have here those 'ambrosial curls,' fashionably powdered, and adjusted with nice care and easy grace about the brow."

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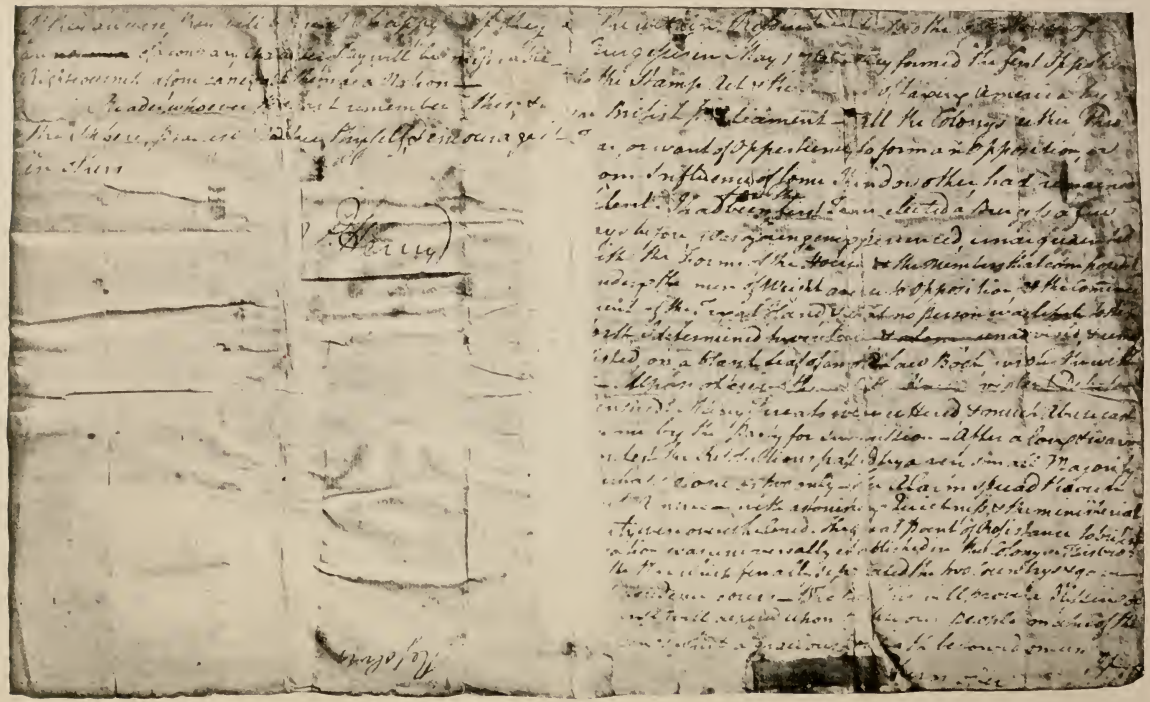
resolutions as adopted by the House. With his will was found a sealed letter, thus endorsed: "Inclosed are the resolutions of the Virginia Assembly, in 1765, concerning the Stamp Act. Let my executors open this paper." On the back of the paper containing the resolutions (already presented) was the following statement:

"The within resolutions passed the House of Burgesses in May, 1765. They formed the first opposition to the Stamp Act and the scheme of taxing America by the British Parliament. All the colonies, either through fear, or from influence of some kind or other, had remained silent. I had been for the first time elected a Burgess a few days before, was young, inexperienced, unacquainted with the forms of the House and the members that composed it. Finding the men of weight averse to opposition, and the commencement of the tax at hand, and that no person was likely to step forth, I determined to venture, and alone, unadvised, and unassisted, on a blank leaf of an old law-book, wrote the within. Upon offering them to the House, violent debates ensued. Many threats were uttered, and much abuse cast on me by the party for submission. After a long and warm contest the resolutions passed by a very small majority, perhaps of one or two only. The alarm spread throughout America with astonishing quickness, and the Ministerial party were overwhelmed. The great point of resistance to British taxation was universally established in the colonies. This brought on the war which finally separated the countries and gave independence to ours. Whether this will prove a blessing or a curse, will depend upon the use our people make of the blessings which a gracious God hath bestowed upon us. If they be wise, they will be great and happy. If they are of a contrary character, they will be miserable. Righteousness alone can exalt them as a nation. Reader! whoever thou art, remember this, and in thy sphere practice virtue thyself, and encourage it in others.—P. HENRY."

Having hewn his five pieces of timber, Henry, like a good wood-chopper, did not bother about the chips. There is no reference in his memorandum either to a missing preamble or to rejected resolutions. Those, however, who faithfully follow the work of men of action



MEMORANDUM ON BACK OF STAMP ACT RESOLUTIONS DRAWN BY PATRICK HENRY

(He looked upon his Stamp Act stand as the most important work of his life; when he died the resolutions were found enclosed with his will.)

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must take note even of chips, in a contest of such historic significance. Accordingly, Edmund Randolph, in his manuscript "History of Virginia," Gordon, in his "History of the American Revolution," Marshall—his father was present as a Burgess—in his "Life of Washington," Richard Frothingham, in his "Rise of the Republic," and other writers, dwell upon the fact that two resolutions were lost in the House, though by no means lost upon the country. There is a reference to them in Fauquier's letter to the Lords of Trade, in which the Governor explains why he was under the necessity of dissolving the House on June 1. Says he:

"I am informed the gentlemen had two more resolutions in their pocket, but, finding the difficulty they had in carrying the fifth, which was by a single voice, and knowing them to be more virulent and inflammatory, they did not produce them."

Moses Coit Tyler thinks that these resolutions should be numbered "six" and "seven." They are as follows:

"*Resolved,* That his Majesty's liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatever, designed to impose any taxation whatsoever upon them, other than the laws or ordinances of the General Assembly aforesaid.

"*Resolved,* That any person who shall, by speaking or writing, assert or maintain that any person or persons, other than the General Assembly of this colony, have any right or power to impose or lay any taxation on the people here, shall be deemed an enemy of his Majesty's colony."

In a letter to the Bishop of London, Speaker Robinson's cousin, the Rev. William Robinson, Commissary for Virginia, thus pointedly alludes to the fact that Henry had a hand in the seventh resolution:

"The concluding resolve which he [Henry] offered to the House, and which fell among the rejected ones, was that any person who should write or speak in favor of the Act of Parlia-

ment for laying stamp duties, should be deemed an enemy to the colony of Virginia; such notions has he of liberty and property as well as of authority."

"He blazed out in a violent speech," says the displeased Commissary; "he is spreading treason."

In summing up with respect to the rejected resolutions, Dr. Tyler says that Henry probably introduced the preamble and the whole seven resolutions; that the preamble was struck out; that the sixth and seventh resolutions were lost in committee, and that the copy sent North was made prior to the final action. Evidence of haste in copying for post is found in the fact that the third resolution was omitted bodily.

Accurate or inaccurate, sanctioned or spurious, the unmodified resolves were quick to circulate—North, South, and everywhere. They were accepted as the voice of the most powerful colony. Philadelphia passed them along to New York, where, as Gordon says, "they were handed about with great privacy," being accounted treasonable. But in New England "the newspapers printed them far and wide, without any reserve." "They gave a spring to all the discontented." "The people of Virginia have spoken very sensibly," declared the *Boston Gazette,* "and the frozen politicians of a more northern government say they have spoken treason." Otis was of the opinion that Henry had gone too far; but in a little while he became responsive to the fierce spirit now enkindled, and moved forward with zeal. One feature of the new situation surprised and gratified the people of Massachusetts. A hoary bugaboo in some parts was that England might seek to Anglicize their church. But here, now, in the American stronghold of episcopacy, was clear evidence of antagonism to the King; and as for Patrick Henry, was it not he who, with tongue of wrath, had driven forth the clergy at Hanover? "*Abiit, excessit, evasit, erupit!*" The Virginians were

applauded. "Oh, they are men!" said the old patriot, Oxenbridge Thacher, speaking from his deathbed; "they are noble spirits!" "This is the way the fire began," observes Bancroft; "Virginia rang the alarm-bell for the continent."

Summer was just opening, and six months remained before the Stamp Act would go into effect. Hence there was time to organize resistance. Not even Henry's words were more frequently in the mouths of the people than was a certain glowing and highly oratorical passage from the speech of Barré, who had served in America with Wolfe, and who now sat as a Whig in the House of Commons: "*They* planted by your care! No; your oppression planted them in America. Nourished by your indulgence! They grew up by your neglect of them. *They* protected by your arms! Those sons of liberty have nobly taken up arms in your defence." "Sons of liberty"—a happy phrase minted in rare purity of flame—was caught up by the men now banded together in all parts of the continent. Secret at first, these clubs in time came out from under cover. They were no mere juntos. They developed into open societies for the propagation of the doctrine of colonial rights and the idea of continental unity. Patriotic letters, fraternal greetings, and solemn pledges passed between them. Women joined in the agitation. Their plan was for passive resistance; "Frugality and Industry" their motto. They meant to ignore England. They themselves would supply the necessities of their own households. To quote Frothingham: "The Virginia resolves, as circulated in the press, declaring no obedience to the Stamp Act, strengthened the purpose of these associations. Their organization from the first meant business of a most determined character. It was Cromwellian in its aims, going straight to the mark of forcible resistance."

Barely a fortnight after the adoption of the resolutions, Fauquier wrote to the Ministry: "Government is set at defiance. . . . The private distress which every man feels increases the general dissatisfaction at the duties laid by the Stamp Act, which breaks out and shows itself upon every trifling occasion." Even Parson Maury admired Henry's "doctrine of liberty." The taxation threat, he wrote to a friend in London, "struck us with the most universal consternation that ever seized a people so widely diffused." Every province in America was resisting. "For this," added the good man, "some may brand us with the odious name of rebels, and others may applaud us for that generous love of liberty which we inherit from our forefathers."

With a fixed and critical date—a turning-point—on ahead, the people moved towards it with increasing perturbation. As in a great election contest, the nearer the approach to the decisive day, the more intense was the feeling. Thus the situation grew angrier month by month, and in August there were riotous demonstrations against the distributers of stamps. Colden, Lieutenant-Governor in New York, set his face against the agitators. They seized his chariot, placed effigies of himself and the devil side by side in the vehicle, dragged it through the streets, and at last burned it vengefully and with acclaim. Newspapers grew violent, and Bradford's *Pennsylvania Journal* came out with skulls and cross-bones pictured upon its title-piece, and announced in bold-face type, "The Times are Dreadful, Dismal, Doleful, Dolorous, and Dollar-less."

But New England took the lead. It was Massachusetts that gave signs of true revolutionary heat. Boston was the seat of protest and the centre of recusancy. Then it was that Faneuil Hall took on the attributes of a patriotic shrine. On the 14th of August a mob burned an effigy of Andrew Oliver, a stamp distributer, raising

the cry, "Liberty, Property, and No Stamps!" Fearing fire for himself, Oliver resigned. All other distributers the country over likewise gave up their offices. But the ferment grew apace. On the 21st of August rioters sacked the house of Chief-Justice Hutchinson. Wherever boxes of stamps could be traced, they were seized and destroyed. All told, there were fourteen popular risings in as many cities and towns.

Meantime, there was no lack of effort to coördinate the forces of revolt. "One single Act of Parliament," says Otis, "had set people a-thinking in six months more than they had ever done in their whole lives before." Otis did not believe in rioting so much as in legitimate agitation. He was among those who felt that some of the current disorders and intimidations were a reproach upon a Christian land. Tumult may be merely senseless. He was wise enough to see that rowdies could never break down a bad government, much less set up a good one. Effigy-burning had in it the elements of boys' play. He was a man of moods, and at times the hurrah over the smashing of window-glass must have made him feel the pettiness of a brick-bat protest, and the pity of it. Again, in another mood, the glory of the new world, its hope, its promise, its God-given immensities, came to him as in a vision, and his patriotic fervor was intense. Being imaginative, he foresaw, as Henry did, though in certain processes of speculative reasoning they were not at all alike.

While the news of Henry's resistance speech was on the way up from Virginia, Otis was planning a Stamp Act Congress. The idea of such a general assembly of conferees was familiar. New England had tried the plan locally; Franklin had caused it to be tried in the Albany Congress when the times, though demanding coöperative effort, were unripe for union. Even now there was disbelief in its legality and utility, and the

King's men opposed it as a mischief and a menace. Altogether lukewarm had been the first reception of the Otis proposal; in truth, the project languished until Henry rang what Governor Bernard of Massachusetts called "an alarm-bell to the disaffected." After that the plan was executed. Nine colonies sent delegates—the politic Bernard being at pains to associate two Government men with Otis, while Fauquier, in Virginia, smothered representation from that quarter.

But there were some staunch and able Whigs in the company that met in the City Hall, New York, on the 7th of October—Gadsden, Lynch, Rutledge, Dickinson, the Livingstons, and others. Frothingham declares that New York then "abounded with the bitterness, strife, and all the elements of a political paroxysm." The Sons of Liberty were numerous, active, and bold. They had a new cry, "A Continental Union!" General Gage's headquarters were there. With the powers of a viceroy, he winked at various happenings and took cognizance of others. There were ships of war in the harbor, and within the city itself was a fort mounted with cannon.

Otis was the chief speaker in the Congress; and, next to him, Gadsden stands out as its most sterling figure. It was as if Gadsden, traversing Virginia on the way North, had caught some of Henry's spirit. He opposed the plan of sending further petitions to Parliament, and assailed the proposition that the people should base their liberties upon royal charters. "We should stand," said he, "upon the broad common ground of those natural rights that we all feel and know as men and as descendants of Englishmen. I wish the charters may not ensnare us at last, by drawing different colonies to act differently in this great cause. Whenever that is the case, all will be over with the whole. There ought to be no New England man, no New Yorker, known on the continent, but all of us Americans."

What would have happened if Henry had been there to storm and stampede the house is matter for interesting, if idle, speculation; but Gadsden was unable to force his views upon a body still somewhat subservient, and chilled to caution by the presence of men wedded to the party of prerogative. Eleven days the debate lasted. Then there was a declaration of rights and grievances. Fourteen resolutions were adopted. With "all due subordination to that august body, the Parliament," its recent acts were arraigned as having "a manifest tendency to subvert the rights and liberties of the people." The privilege of self-taxation and the right of trial by jury were asserted. It is doubtful whether Henry, if a delegate, could have heard the sentiment, "We glory in being subjects of the best of Kings," without getting upon his feet and flashing forth a protest that would have scorched out the adulatory passage and robbed his Majesty of an insincere compliment. As it was, the happenings outside the hall were more in keeping with the tumultuous spirit abroad than those within. The Tory chairman challenged an exasperating Whig member to a duel, only to have his valor ooze out, "Bob Acres" fashion, overnight. A delegate, too, was hanged—in effigy; and that was the end of a convention chiefly memorable as the forerunner of the Continental Congress of 1774.

Meanwhile, Henry's resolves were serving as the pattern for similar resolutions in various assemblies. Eight colonies adopted such resolutions, and in some instances the wording was identical with that of the Virginia series.

Long before the first of November, it was evident that only by sending great numbers of troops to America could the Government of Great Britain enforce the Stamp Act. Commerce was suffering; London traders who dealt with America were apprehensive. Pitt left his

bed to speak for repeal, and that winter the law was withdrawn. King George signed the repeal on the 18th of March, 1766. In his capital "bow-bells were set a-ringing, the ships in the Thames displayed their colors, and London streets were illuminated." But if there was so much rejoicing in England, how great must have been the jubilation in America! The long tumult was over—the victory won, the principle established. So must have thought the thousands who welcomed the glad tidings; but they were premature in their acclaim, and especially in their praise of the King. His Majesty was a most stubborn and persistent man. To the repeal of the Stamp Act his Ministry had affixed a Declaratory Act. It pleased the Tory Britons then in power to assert that it was one of the rights of Parliament to tax America "in all cases whatsoever."

To those who think we have dwelt too long upon events connected with Henry's stand on the Stamp Act, an apology is made; and to those who feel that they have been inadequately sketched, we doubly apologize. They were the direct consequences of his resolves and fiery contention in the House of Burgesses. Jefferson said, "Mr. Henry certainly gave the first impulse to the ball of the Revolution;" and Lord Brougham, in his "Political Philosophy," speaks of this same Revolution as "the most important event in the history of our species." We may, if we like, interpolate "one of the most important events," and tone down the eloquent lord's superlative phraseology; but the glory of a great fact will still remain. Like Jefferson, Edmund Randolph got to be at odds with Henry, yet Randolph wrote: "On May 29, 1765, Mr. Henry plucked the veil from the shrine of parliamentary omnipotence." Grigsby declares that the passage of Henry's resolves was "the first great blow which British supremacy received on this side of the Atlantic." It was "the first great act of the

drama of the Revolution." Henry's words, concludes Woodrow Wilson, " were the first words of a revolution, and no man ever thought just the same after he had read them."

Washington, writing of the Stamp Act, thus expressed himself: " Had the Parliament of Great Britain resolved upon enforcing it, the consequences, I conceive, would have been more direful than is generally apprehended, both to the mother country and to her colonies."

Had the King and Parliament sent over some tens of thousands of troops fresh from Pitt's great school of war, and had those troops, as incidents of a quick campaign, seized upon Otis of Massachusetts and Henry of Virginia, what would have happened to the two men? It is doubtful whether Otis would have been hanged. In the Stamp Act agitation he was more guarded than Henry. His approach to the desired end was slower. " A redress of grievances, not a revolution of government, was my wish," said Edmund Pendleton; and this expresses the attitude of Otis in the Stamp Act Congress. " The orator of Virginia," thinks William Wirt Henry, " went a bow-shot beyond the orator of Massachusetts."

But there shall be no nice balancing here as to whether Otis or Henry should hold priority as the pioneer of the Revolution. There is a controversy about it, and the controversialists will continue to split hairs for a long time to come. They are like Judge Dooly, of Georgia, who, having challenged his political opponent, Judge Tait, to fight a duel, was distressed when he reached the ground to discover that Tait had a wooden leg. It was not sympathy with Tait that caused the distress; for Dooly insisted that one of his own legs should be cased in a hollow tree to offset the other's advantage.

No one can add to Henry's fame by belittling Otis; and, conversely, no one can brighten the Otis halo by

seeking to diminish that of the orator whose decisive utterances, in the very nick of controversy, determined the course of empire. A sincere man, Otis gave up his office as Advocate-General in order that he might be free to do what he thought was right. Struck down with a cane in the hands of a King's officer, Otis, like Sumner in a later epoch, never regained his mental fire. That he died by lightning-stroke adds to the tragic aspect of his glorious life.

Otis and Henry pair well together, for Henry also was a sincere man. Sometimes he mingled a dry humor with his sincerest expressions. Like Lincoln, he could joke about himself, if a touch of pleasantry served to relieve a situation. Judge Tyler says:

"In a conversation with him once at his own house, upon his first essay into the political world, I asked him how he ventured to lift up his voice against so terrible a junto as that he had to oppose, when he first stirred the country to assert its political rights. His reply was, that he was convinced of the rectitude of the cause and his own views, and that although he knew that many a just cause had been lost, and for wise purposes Providence might not interfere for its safety, *yet he was well acquainted with the great extent of our back country,* which would always afford him a safe retreat from tyranny, but he was always satisfied that a united sentiment and sound patriotism would carry us safely to the wished-for port, and if the people would not die or be free, it was of no consequence what sort of government they lived under."

So, whatever might have happened to Otis, it is doubtful whether Henry would have permitted himself to be caught for purposes of hanging.*

*It may be that, while talking with Tyler, Henry had in mind the Stamp Act song:

"With the Beasts of the Wood, we will ramble for Food,
And lodge in wild Desarts and Caves;
And live Poor as Job on the Skirts of the Globe,
Before we'll submit to be Slaves."

He was now a continental celebrity. In Virginia, says Jefferson, "Mr. Henry took the lead out of the hands of those who had heretofore guided the proceedings of the House, that is to say, of Pendleton, Wythe, Bland, Randolph, and Nicholas." William Wirt well expresses a similar idea when he says that "after this debate there was no longer a question among the body of the people as to Mr. Henry's being the first statesman and orator in Virginia. Those, indeed, whose ranks he had scattered, and whom he had thrown into the shade, still tried to brand him with the names of declaimer and demagogue. But this was obviously the effect of envy and mortified pride. . . . From the period of which we have been speaking, Mr. Henry became the idol of the people of Virginia." "His, indeed," says William Cabell Rives, in the "Life and Times of Madison," "was a distinguished and splendid rôle. By his ever memorable resolutions in opposition to the Stamp Act, and the lofty eloquence with which he sustained them, he struck a timely blow which resounded throughout America and the world, and roused a spirit that never slumbered till its great work was accomplished. The moment was opportune and critical; and he seized it with a bold and felicitous energy that belonged to his ardent and impassioned nature. His was the temperament and the genius of the great popular orator, that fitted him to lead at such a moment, and, like Aaron, to proclaim the divine message of freedom to his countrymen, and of wrath and denunciation to their oppressors."

VI

HIS PROGRESS—HIS PERSONALITY

Henry had now lived almost half his life. He was twenty-nine when, by his Stamp Act stroke, he became a continental celebrity; he was thirty-nine when he delivered his most powerful and celebrated oration. The intervening decade was one of progress with him. He grew in power, in popularity, and to some extent in fortune. Let us first outline his private and professional life during these ten years, and then attempt to draw nearer to him than we have so far been—to get at his looks, his habits, and such personal minutiæ as may help us to feel that we are actually acquainted with the man himself.

"Roundabout," in Louisa County, was his home during the three years next following the date of his Stamp Act triumph. His father, who, with Master Walker, still kept at "Mount Brilliant" a classical school of some twenty pupils, had turned over to him the "Roundabout" farm in payment of a loan. Patrick also bought the rights of a map * of Virginia upon

* The manuscript Journal of the House of Burgesses for 1766, lately copied in London, shows that on Nov. 10 a memorial of Colonel John Henry on the subject of this map was read and referred. He set forth the advantages that would accrue from "an accurate survey" of the colony. He wished to have the roads measured and marked, and claimed that the public would then know whether venire men and witnesses travelling to the General Court were getting their due or more than they deserved. He pointed out the benefit that would arise from marking the shoals in the Chesapeake and the rivers. Lastly, there should be a colony map and a map for each county, "together with the most curious and entertaining observations relative to

which Colonel Henry had spent time and money. "Colonel Henry's fortune was much reduced from a want of good management and knowledge of plantation affairs," says Colonel Meredith. So the son dutifully stood by the father, who was good enough at map-making and good at Greek, but not good in ordinary business. Here at hand is a manuscript letter written by the old gentleman. It deals zestfully with a certain Greek verb, and intimates that the true inwardness of this same verb will be further probed by the very next mail. He died in February, 1773, having dwelt in America some fifty years.

Before us, also, is a present-day letter from Captain W. T. Meade, of Louisa, who tells us of "Roundabout":

"Tradition says that Mr. Henry settled in this county in 1764, and left here in 1767. This may be correct, though there was a conveyance of land in 1770, as well as in 1764. In looking over the county records, Mr. Henry's name is frequently seen. One item is to the effect that Patrick Henry, junior, conveyed to John Henry a tract of land on Fork and Roundabout creeks. I knew the building in which Mr. Henry is said to have lived, just one hundred years after his residence there. It was a story-and-a-half structure, about 20 by 18 feet, with a shed on the north side. This shed was well finished off as a bedroom, which, added to one and often two bedrooms upstairs in the main building, furnished the sleeping apartments for the household. Around every Virginia mansion there were scattered several small buildings which served the purpose of kitchens, lumber-rooms, pantries, and smoke-houses; and there was almost always one which was fitted up as a bedroom for the boys of the establishment. These outhouses were called into requisition when there was an unusual number of visitors; so that a description of a mansion gives a very inadequate idea of the proprietor's capacity for entertaining his guests. At the

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the country, its Productions, number of inhabitants, Rarities, Trade, and whatever else may be judged proper to be inserted in the Vacant Places of the said Maps." John Henry's map of Virginia is described at length in the *Historical Magazine* for September, 1863, VII, 286–288.

time that I first knew the premises, forty-two years ago, there were many such outbuildings at 'Roundabout,' but none, I think, that had been there during Mr. Henry's occupancy. These buildings have now (1906) all gone down.

"The situation is a pretty one. It is on a hill which commands a beautiful view of the Roundabout Valley, and is about three hundred yards from the little creek of that name. A hundred and forty years ago it was just between two great thoroughfares that led from the mountains to the seaboard; and tradition says that the location was then considered one of the best in this region.

"As to reminiscences of Mr. Henry's Louisa life, my old neighbor, Captain William Perkins, used to say that his father, who joined farms with Mr. Henry, told him that he (Henry) was a great sportsman and an expert with rod and rifle. He always walked to court, carrying his gun, and hunting by the way. This old neighbor, who owned Henry's 'Roundabout' place, belonged to a family noted for its longevity. He died about 1870, at 88. His father died at 98, and his grandfather at 109. His mother is said to have danced a jig at 103."

Henry not only helped his father, but likewise advanced money to save his father-in-law, Shelton, from business sacrifices. In one of the fee-books is an account of how the money-making lawyer thus acquired 3,335 acres of wild land on Moccasin Creek and the Holston, and of his long journey thither in company with his brother and William Christian, then a law-student in Henry's office, and soon to marry a much-loved sister, Anne. The memorandum in the fee-book does not tell of the party's route to the wilderness, or of their adventures there; but the expedition brings to mind Henry's liking for the "back country" and his disposition to roam. In this respect he had something of the Indian in him, just as he had in his eloquence. To break camp in Hanover and move to Louisa, or quit Louisa for Hanover, did not ruffle him. Weightier affairs soon lessened his love for rod and rifle; but in his best hunting days he must have felt allurement in the "Three-chop" road—a forest trail so called because one could follow it

from tidewater to the gap of the Rivanna by the sign of triple axe-marks in the bark of trees along the way. What a message from man to man these axe-marks were!—"There's a continent to conquer; come on!"

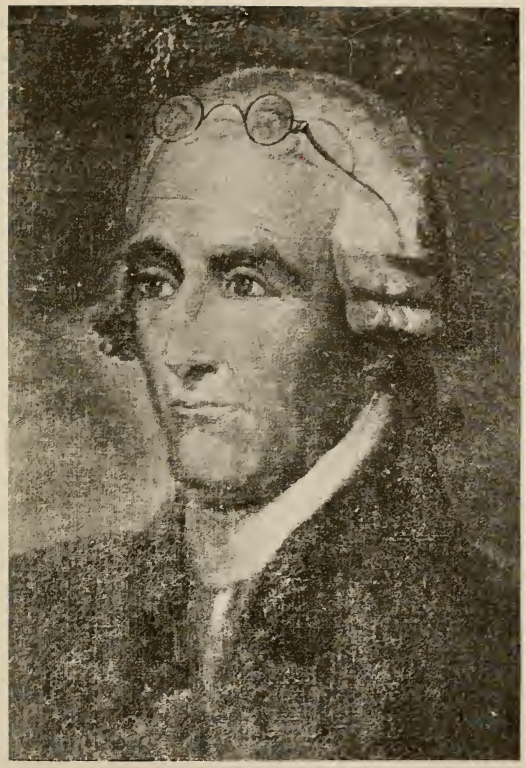
Henry is said to have hunted deer "several days together, carrying his provisions with him, and encamping out in the woods of nights." After the hunt "he would go to Louisa Court clad in a coarse cloth coat, greasy leather breeches, and a pair of saddle-bags on his arm"—and win his cases. How much better it would be if we could go with him into the forest, among the wild grapes and plums, where there was plenty of honeycomb in the tree-hollows—how much more thrilling it would be if we could give the details of a deer-chase, with Henry hallooing his wildest, and turn our backs upon the figures in the fee-books now under our eye! But life had become more serious for him. His hunting days were about over. Not that he ever ceased to be a son of Nature. He always retained certain marked characteristics of a country-bred man, and the longings, too; and he appreciated the wholesomeness of what we call "roughing it." Work it was that weaned him away from the woods; and, in following his work, we must turn to the fee-book figures and repeat a few of them here. They indicate that he was hard at it right along—that he had in mind the welfare of his increasing family at "Roundabout." In 1765 his law cases numbered 557; in 1766, a time of political turmoil, 114; in 1767, 554; and in 1768, 354. Furthermore, these fee-book figures serve to gauge the rising Revolutionary tide. In 1769 Henry charged 132 fees; in 1770, 94; in 1771, 100; in 1772, 43; in 1773, 7; in 1774, not one. Private quarrels became more and more infrequent under pressure of the great public quarrel. Business was interrupted, and often the courts did not sit.

Though Henry's practice extended to other counties,

it was mainly in Louisa, Goochland, and Hanover, whither he returned with his family in 1768. The following year we find him in the General Court at Williamsburg; and in 1771 it was made known throughout the colony that he had succeeded to the practice of no less a man than Robert Carter Nicholas. Still rising in the world, Henry bought "Scotchtown," in Hanover, where he lived for five years. It may be assumed that Nicholas, who stood at the head of the Virginia bar, knew Henry's capacity as a lawyer. Others were not so free to admit that the Hanover genius was sound in his legal knowledge. They were like the sarcastic Baron Alderson, who, when Brougham—"the tremendous Harry"—was made Lord Chancellor, is reported to have said: "What a wonderfully versatile mind has Brougham! He knows politics, Greek, history, science; if he only knew a little law, he would know a little of everything." Sarcasms were flung at Henry, too. At the same time, his detractors were obliged to admit that he frequently accomplished things. For instance, he appeared in the Court of Admiralty as counsel for a Spanish captain whose vessel and cargo had been libelled. Concerning his triumph there, Nathaniel Pope writes:

"I heard Captain George Dabney, who was present, say that the judge who presided [William Nelson] after the trial was over declared that he never heard a more eloquent or argumentative speech in his life; that he was greatly superior to Pendleton, Mason, or any other counsel who spoke in the cause, and that he was 'astonished how Mr. Henry should have acquired such a knowledge of the maritime law, to which he supposed he had never before turned his attention.'"

Various "Henry traits" are spoken of in Virginia. They include the captivating gesture, a smile that plays about the mouth, and a spirited use of the eyes—"the Patrick flash." Some ladies, driving along a Virginia field road, remarked to each other upon the ungainli-



THE AYLETT PORTRAIT

(This head is from a painting of Patrick Henry, long in the possession of the Aylett family, and now owned by Mrs. Thomas P. Bolling, of Richmond. It is not from life.)

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ness of a tall young man just ahead. Evidently the youth had never been a military cadet. His slouch hat and the slouch in his walk were of a piece. But there was a gate across the road. He put down a fishing-rod, and swung the gate wide open. As he did so, he bowed, smiled, stood erect like a lord. The act so surprised and charmed the ladies that they spoke of it later. "Oh," said the person addressed, "he's one of old Patrick's descendants—those are the Henry traits. You've really seen Patrick Henry."

Patrick Henry's physical measurements are not so exactly known to us as those of General Washington. Houdon handed down a marble Washington modelled to a hair upon the great original. We even have a trace of a Washington smile; for it is said that when his face was encased in Houdon's plaster and he heard his wife approaching, he suddenly realized the ludicrousness of his situation and cracked the mask by the uncontrollable play of his mouth-muscles. But Houdon did not copy Henry's lineaments; nor did Saint Mémin, who traced on pink paper and finished in black crayon the life-size profiles of some eight hundred Americans of that generation. By his use of the physionotrace and pantograph, Saint Mémin served us well—much better than did some of the old mezzotint engravers, who did not scruple to pass off one man's portrait for that of another. Thus a German of a by-gone age, who actually had four plates, scratched enough faces out of them to illustrate a book on all the celebrities of the world. Henry looked like Captain Cook, the navigator, and an unscrupulous publisher is said to have made his Cook engraving do for both; whence arose a taking tale. It was said that Sully "constructed" his Henry portrait from a Captain Cook print, supplemented by the recollections of men who had known the great orator. Sully did nothing of the sort. William Wirt Henry writes:

"During the trial of the British Debt cause in the United States Court at Richmond, a French artist attended, and painted a miniature of Patrick Henry, representing him as speaking. The artist presented the miniature, set in gold, to Mr. Henry, who afterward gave it to the wife of his half-brother, Mrs. John Syme. While Mr. Wirt was preparing his 'Life' of Mr. Henry, he was allowed by the Flemings, descendants of Colonel Syme, to have a portrait painted by Thomas Sully, of Philadelphia, from this miniature. The artist copied the miniature, with some slight alterations as to the wig, suggested by Chief-Justice Marshall. The portrait when completed was entrusted to Mr. James Webster, the publisher of Mr. Wirt's 'Life of Patrick Henry,' in order that it might be engraved for the forthcoming volume. Afterward Mr. Wirt, while Attorney-General of the United States, presented the portrait to John Henry, who was living at Red Hill with his mother. He was too young when his father died to have remembered him, but his mother and older brothers and sisters pronounced it the best likeness they ever saw of Patrick Henry."

Chief-Justice Marshall, Francis Corbin, and the Rev. John Buchanan, all intimately acquainted with Patrick Henry, left written testimony as to the accuracy of the Sully picture. Hence this painting goes down in history as the true likeness. The Aylett head, the clay bust, and the statue by Crawford in the Capitol Square group at Richmond * set forth the lineaments thus preserved.

Both the Sully portrait and a profile sketch made by B. H. Latrobe refer to a much later period in Henry's life than the middle one now under consideration; not only so, but most of the old-time writers tell of him

* The Richmond group by Thomas Crawford shows Washington on horseback in the centre, overtopping all. From the plinth on which this statue stands extend the five rays of a star, each ray bearing a statue of a distinguished Virginian. One of these bronze figures represents Henry in the act of uttering, "Give me Liberty or give me Death." There is an oil painting of Henry in Independence Hall. In the Capitol at Washington is another notable portrait. Henry's face looks down from the ceiling of the Continental Congress chamber in Carpenters' Hall.

as he was in his declining days, rather than as he looked when in his prime.* Arnold's summary with respect to him is interesting: "Six feet, slight stoop, rather spare, dark complexion, grave countenance, eyes overhung by long dark lashes and full eyebrows—brilliant, full of spirit, rapid in motion; forehead high and straight; nose somewhat of Roman stamp." Again we read of Henry: "He was tall and spare, but of limbs round enough for either vigor or grace. He had, however, a slight stoop, such as very thoughtful people are apt to contract." And again: "He was nearly six feet high, spare and raw-boned, with a slight stoop to his shoulders."

So many American statesmen have been round-shouldered that one is tempted to speak of it as "the statesman's stoop." Perhaps "the Lincoln stoop" would convey a more exact idea. Tall civilians, moving with caution through a wicked world with low doorways and few portals arched in splendor, are apt to take care of their heads. Spencer Roane mentions the stoop, adding that Henry was "middle-sized." Thus, while there is no doubt about the stoop, a question is raised as to the stature. The Rev. Archibald Alexander, who found him "lean rather than fleshy," says: "He was rather above than below the common height, but had a stoop in the shoulders which prevented him from appearing as tall as he really was. In his moments of animation, he had a habit of straightening his frame, and adding to his apparent stature." In other words, only when Henry swung himself to his tiptoeing height, in the fine frenzy

* The "Longacre portrait" of Henry is frequently seen. The original engraving was made by E. Wellmore from a painting by J. B. Longacre, after the Fleming miniature. The engraved "Chappel portrait" of Henry is from a painting by Alonzo Chappel. The Sully portrait was engraved by W. S. Leney in 1817.

of his oratorical enthusiasms, did he reach or overtop the six-foot mark.

All agree that Henry's forehead beetled somewhat and rose well before it rounded back, in a symmetrical curve, on normal lines. There was room enough inside the head for whatever brains a man might need. All agree concerning the oval cast of countenance, the long nose, and the mouth. This was so shaped as to strengthen the masculinity of his appearance—an actor's mouth, or an orator's; and his well-kept teeth were sound. His lips met as if they were accustomed to the meeting, and as if each knew its place. The upper one was long. It probably outmeasured the flat of Henry's razor-blade; and when he used this same razor on the sides of his face, it had plenty of space to go over, for the jawbones were big. Latrobe makes him almost lantern-jawed. Less hollow than Lincoln's, his cheeks had an inward sag, and he must have contrasted strangely with Peyton Randolph, who possessed a notable pair of jowls. All agree, too, concerning Henry's hueless skin. The ruddy men, as a rule, lived farther away from tidewater. But all do not agree as to the color of his eyes. In Judge St. George Tucker's vivid and charmingly analytical pen-picture which is about to be copied—a description that shows us Henry just as he was in his most virile days—his eyes are said to be gray. Judge Roane assures us: "He had a fine blue eye, and an excellent set of teeth, which, with the aid of a mouth sufficiently wide, enabled him to articulate very distinctly. His voice was strong, harmonious, and clear, and he could modulate it at pleasure." "Go out on a perfectly clear day and look up at the sky," said his daughter Sarah to William Wirt Henry, "and you will have an excellent idea of the color of his eyes."

Does it bring us down from the blue too abruptly to add that he was bald from early youth, that his slight fringe

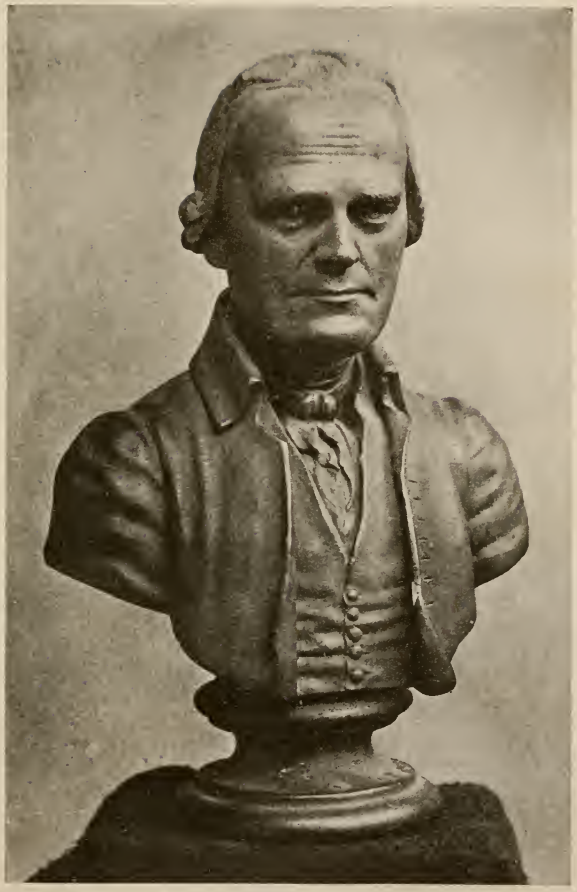
of natural hair was reddish brown, and that in public he always wore a wig? But, having taken the testimony of those who knew him best with regard to the color of his eyes, we may come at once to the description by Tucker, then a student at William and Mary College. Judge Tucker says:

"The General Court met in April [1773]. Mr. Henry practiced as a lawyer in it. I attended very frequently; generally sat near the clerk's table, directly opposite to the bar. I had now for the first time a near view of Mr. Henry's face. He wore a black suit of clothes and (as was the custom of the bar then) a tie-wig, such as Mr. Pendleton wore till his death. His appearance was greatly improved by these adventitious circumstances. His visage was long, thin, but not sharp, dark, without any appearance of blood in his cheeks, somewhat inclining to sallowness; his profile was of the Roman cast, though his nose was rather long than high, his forehead high and straight, but forming a considerable angle with the nose; his eyebrows dark, long, and full; his eyes a dark gray, not large, penetrating, deep-set in his head; his eyelashes long and black, which, with the color of his eyebrows, made his eyes appear almost black; a superficial view would indeed make it be supposed they were perfectly black; his nose was of the Roman stamp, as I have said; his cheekbones rather high, but not like a Scots-man's; they were neither as large, as near the eyes, nor as far apart as [are those of] the natives of Scotland; his cheeks hollow; his chin long but well-formed, and rounded at the end, so as to form a proper counterpart to the upper part of the face. I find it difficult to describe his mouth, in which there was nothing remarkable, except when about to express a modest dissent from some opinion upon which he was commenting; he then had a half sort of smile, in which the *want of conviction* was, perhaps, more strongly expressed than that cynical or satirical emotion which probably prompted it. His manner and address to the court and jury might be deemed the excess of humility, diffidence, and modesty. If, as rarely happened, he had occasion to answer any remark from the bench, it was impossible for meekness herself to assume a manner less presumptuous, but in the smile, of which I have been speaking, you might anticipate the want of conviction expressed in his answers, at the moment that he submitted to

the '*superior wisdom*' of the court, with a grace that would have done honour to the most polished courtier in Westminster Hall.

"In his reply to counsel, his remarks on the evidence and on the conduct of the parties, he preserved the same distinguished deference and politeness, still accompanied by the never-failing index of this sceptical smile when the occasion prompted. His manner was solemn and impressive; his voice neither remarkable for its pleasing tones or the variety of its cadence, nor for harshness. If it was never melodious (as I think), it was never, however, raised harsh. It was clear, distinct, and capable of that emphasis which I incline to believe constituted one of the greatest charms in Mr. Henry's manner. His countenance was grave (even when clothed with the half smile I have mentioned), penetrating, and marked with the strong lineaments of deep reflection. When speaking in public, he never (even on occasions when he excited it in others) had anything like pleasantry in his countenance, his manner, or the tone of his voice. You would swear he had never uttered or laughed at a joke. In short, in debate either at the bar or elsewhere, his manner was so earnest and impressive, united with a contraction or knitting of his brows which appeared habitual, as to give his countenance a severity sometimes bordering upon the appearance of anger or contempt suppressed, while his language and gesture exhibited nothing but what was perfectly decorous. He was emphatic, without vehemence or declamation; animated, but never boisterous; nervous, without recourse to intemperate language; and clear, though not always methodical."

This certainly puts Henry upon his feet for us, and makes him alive again. One has no imagination whatever if, after reading Judge Tucker's memorabilia, one cannot get a sight of the subject himself. The sunlight comes in on him as he stands at the bar before an impressive bench of judges; and we view him from head to foot. There is particularization; there is a categorical counting of buttons and buckles; there is "long exposure," as the photographers say, and all that one's mind has to do is to sensitize itself, take the picture, and develop it. After this we shall at least feel that the Henry of the bar and the forum is fairly well known



THE CLAY BUST OF PATRICK HENRY

(Made from life by an Italian in 1788, and copied in bronze.)

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to us, even though we may doubt our grasp of him when he is playing other parts. We shall remember his gravity, his earnestness, as betokened by brows that knit and unknit, his deference and restraint, and, above all, we shall bear in mind his demurring smile, which conveyed with delicacy and instantaneous effect much that could not be safely trusted to words.

Judge Tucker's reference to Henry's voice leaves us in doubt as to whether it were melodious or otherwise. It was never harsh, but "not remarkable for its pleasing tones." Henry varied his manner to meet his audience and impress his contention. One of the earliest writers to present him in a realistic way, outlining him with exactitude, said, in the *Southern Literary Messenger*, August, 1847:

"He was gifted with a strong and musical voice, often rendered doubly fascinating by the mild splendors of his brilliant blue eyes. When animated, he spoke with the greatest variety of manner and tone. It was necessary to involve him in some great emergency in order to arouse his more sterling qualities, and then, to the surprise of himself as well as everybody else, he would in the most splendid manner develop

> "'A treasure all undreamt of: as the night
> Calls out the harmonies of streams that roll
> Unheard by day.'

"He was careless in dress, and sometimes intentionally and extravagantly awkward in movement; but always, like the phosphorescent stone at Bologna, he was less rude than glowing. He could be vehement, insinuating, humorous, and sarcastic by turns; and to every sort of style he gave the highest effect."

"He wore coarse apparel"—"his leather breeches were greasy"—"he was careless in dress." There are so many insinuations that Henry was unappreciative of the colonial tailor as to warrant us in flaunting forth a contradictory fact. At this very time he wore a peach-

blossom colored coat in the streets of Williamsburg. "When I first saw Mr. Henry," says Judge Tucker, "which was in March, 1773, he wore a peach-blossom colored coat, and a dark wig which tied behind, and I believe [had] a bag to it, as was the fashion of the day." But it may be recalled in this connection that the colonial gentry were accustomed to adorn themselves with fine raiment. In Boston John Hancock habitually wore a scarlet coat of velvet, with velvet ruffles on the sleeves. General Gage grimly suggested that by and by the fashion in Hancock's case would change to iron ruffles.

> "As for their king, John Hancock,
> And Adams, if they're taken,
> Their heads for signs shall hang up high
> Upon the hill called Beacon."

With regard to Henry and dress, the simple fact is that at this period he was seeking to overcome his negligence and to adjust himself to his surroundings. "Sartor Resartus" was yet to be written; but he probably had thought a little for himself on the subject of shoemakers and tailors. Year by year he was widening his field of activity, and sound common-sense told him that he must conform to the usages of society. We are told that at the bar "he wore a full suit of black cloth or velvet, and a tie-wig, which was dressed and powdered in the first style of forensic fashion." In winter he shielded himself with a cloak of scarlet cloth. The Sully portrait shows him in black, with a white cravat. Over his shoulders is a red velvet mantle. This was "his usual dress while in the Legislature."

Henry was a water-drinker. He was temperate in eating. He never swore—not even at the King. All his habits were simple, from youth to old age. "In his friendships," says Captain George Dabney, "he was

sincere." He was of "a cheerful disposition, and an agreeable companion." He had "a great respect for the Christian religion." John Bright's grandmother, Rachel Wilson, of the Society of Friends, wrote in the diary of her Virginia travels, under date of Williamsburg, March 31, 1769: "We returned that night to Francis Clark's. Called by the way to see one of the Assemblymen, who was a man of great moderation; his name was Patrick Henry. He received us with great civility, and made some sensible remarks. We had an open time in the family."

Henry's relation with the Quakers was notably frank and sympathetic. Presently we shall see how free he was to open his mind to them on a subject that distressed him. But, more than any other sect, the Baptists won his attention at this particular time. Robert B. Semple, in his "History of the Baptists in Virginia," tells of the tribulations of various ministers of that church who were sent to jail as "disturbers of the peace." They were bold in their demand for freedom of speech and persistent in their attempts to secure it. "It was in making these attempts," says Semple, "that they were so fortunate as to interest in their behalf the celebrated Patrick Henry; being always a friend of liberty, he only needed to be informed of their oppression; without hesitation, he stepped forward to their relief. From that time until the day of their complete emancipation from the shackles of tyranny, the Baptists found in Patrick Henry an unwavering friend. May his name descend to posterity with unsullied honor!" *

* Foote, in his "Virginia Sketches," tells of certain Baptists who preached through the prison bars at Fredericksburg. At their trial, the prosecutor declared: "They cannot meet a man upon the road but they must ram a text of Scripture down his throat." Foote says that Patrick Henry rode fifty miles to volunteer his services in behalf of the Baptists. A dramatic

So interested did Henry become in this work that he paid out of his own pocket the jail fees of the Rev. John Weatherford, whose release in Chesterfield County had been secured through his agency. Not for twenty years did this clergyman know that Henry had been his good angel.

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scene is described, and a part of a speech attributed to Henry has been much quoted; but there is reason to believe that Henry did not make the speech. A controversy on the subject arose in 1871, Horatio Gates Jones defending and the editor of the Richmond *Religious Herald* assailing the authenticity of the printed version.

VII

EARLY LEADERSHIP—CONTRAST AND COMPARISON

HAVING drawn as near to Henry's person as authenticated facts permit, we come again to that part of his public life immediately antedating the Revolution. It was a glorious period for him. In those days educated people slipped into the classics with facility and frequency; so Henry's oratory was likened to that of the greatest of the Greeks. There is no offence when Byron, in "The Age of Bronze," raptly sings of him as "the forest-born Demosthenes"; but then, Byron was taking no more than the poet's license. For critical purposes, will it not be less incongruous if, catching Edmund Randolph's cue, we contrast him with a certain great English orator of his own generation; and will it not be still more to the point if, after that, we compare him with a certain maltster who labored in the patriot cause elsewhere in America? One cannot well survey the life and times of Patrick Henry without also seeing the potential figures of William Pitt and Samuel Adams.

But, before bringing on these worthies, it will make for coherence if we set forth in short order a few facts that are essential to a clear understanding of Henry's life. It should be said that he was a Burgess from 1765 until the ancient Assembly practically ceased to exist; that he became the leader of the popular party, in opposition to Edmund Pendleton, when, in a fierce contest, Richard Henry Lee's bill separating the offices of Speaker and Treasurer was forced through the House; that thereafter Lee was Patrick Henry's friend, and Pendleton by no means such; and that the animosi-

ties then engendered lingered so long as to tincture adversely various estimates of Henry, even after his death.

Let us make no mistake as to the character of the House of Burgesses, or misconceive the scope and quality of Henry's leadership. Until within a year past the Journals of the House were incomplete, but they are no longer so. The volumes for 1766, 1767, and 1768, which were missing, have been found in the British Public Record Office, and transcribed for the Virginia State Library. Therefore a Henry student may follow the proceedings of the colonial legislators, day by day, from Stamp Act times until the outbreak of the Revolutionary War. Such a student will find a great deal to impress him. He certainly will find "atmosphere." The House was ceremonious and dignified, but like the elephant in the fable, it could pick up a pin. It could teach the King of England his business, or order that no member should "chew tobacco while the Speaker was in the chair." It could congratulate mankind upon the birth of the Princess Sophia, or listen appreciatively to an account of some such political brawl as that between High Sheriff Hoskins of Halifax and Candidate Terry. Colonel Terry appears to have given the House more trouble than anybody else except George the Third. Terry was a colonial "fire-eater." An election was going on in Halifax County, and he reached the ground, "stripped for a fight, with his cane in his hand." Then:

"The said Hoskins came up to the door, when the said Terry said to him, 'Damn you! Will you use me ill?' Or words to that purpose. To which Hoskins replied, 'I intend to use no man ill.' Terry then said he had no clerk, but should have one in a little time [to take the poll]; and asked Hoskins if he was determined to read the writ [to open the polls earlier than usual]. Hoskins replied, 'I am.' Upon which the said Terry

declared if he did, he would be damned if he did not cane him. 'Why, then,' said Hoskins, 'I will be damned if I don't; and cane away!' . . . Upon which the said Terry moved one hand towards the Writ and raised his Stick with the other, which was caught by Moses Terry."

But this extract from the Journal covers a mere incident—a triviality, introduced here to show that the Burgesses had a world of their own around them, and that Henry, as a part of this world, gave his mind to a thousand and one matters not at all connected with the great storm then brewing. The Journals bear evidence that his work in committee was important and well done. It is clear that he was always ready, with his "acute common sense," to suggest and supervise. Let it not be assumed, however, that he overshadowed his fellow-members of the House of Burgesses, which was a business body, and which contained men who regarded themselves as his superiors. Indeed, in speaking of Henry as a "leader," it is not meant that he prescribed policies or managed a pack of followers in the manner of a modern "boss." Far from it. He regarded himself as personally responsible to the freemen of Hanover for whatever he did in their name. It was customary for the electors to meet at the Court-house on a set day, and it was incumbent upon the Burgesses of that county to attend, and, if necessary, to answer the questions of the people. Any man who had a vote felt that it was his privilege to shake a catechising finger at his representative. If Patrick Henry had been a negligent, or corrupt, or otherwise faithless official, he would have been denounced from the stump on the Court-house green. It would have been obligatory upon him to defend himself then and there. The electorate had high regard for Henry, but they were not subservient to him or afraid of him. Any one of a hundred men could and would have arraigned him if

he had done Virginia a disservice. All public men, at a somewhat later period, when true democracy had triumphed, were accountable to the public in face-to-face testimony, debate, and ruling. Perhaps it was this sense of personal responsibility that made statesmen grow great in Henry's day.

Keenly interested in the frontier, Henry served on the Indian and Boundary committees, and actually journeyed to New York, with Richard Bland, in the hope of bettering the regulations of the Indian trade. Fauquier was now dead, and the kind and courtly Botetourt was acting towards the Virginians in a spirit such as Pitt himself might have shown, had he fled to so small a capital as Williamsburg in order to escape the agonies of government, if not those of gout.

For gout had gone to William Pitt's head, and played havoc there. He was Lord Chatham now, and not himself at all. To the King, he was still "that perfidious man"; yet the British world was distempered, and his Majesty had sent for him as successor to the Marquis of Rockingham. Therefore he was Prime Minister, but only so in name. In seeking to prevent a rupture with America, he had to contend against the ignorance of the British governing class, a venal Parliament, and the blind rancor of the King. As in Walpole's time, this venal Parliament could show "rows of ponderous fox-hunters, fat with Staffordshire or Devonshire ale." Chatham hid in the country. "Junius" called him a "lunatic." Lecky says of him: "Of all great Englishmen he is perhaps the one in whom there was the largest admixture of the qualities of the charlatan." But Americans, excusing his artificialities and his insincerities, find it against the grain to so regard him. They cannot but think of him as a friend. They feel that he was betrayed by Charles Townshend, the witty and eloquent poseur, who

" shifted his politics with every new moon "; who made " champagne speeches," crying, " England is undone if this taxation is given up," and who took advantage of a time when Chatham's mind was unhinged to lay an import tax on America's wine, oil, fruits, glass, paper, lead, painters' colors, and tea—thereby pleasing the King, but risking wreck for a glorious empire. It may be that Chatham was really out of his senses at this time. He played potentate; he bought and tore down neighboring houses, so that he could live in seclusion; he kept chickens on the grill night and day, lest by and by his appetite and his wits should of a sudden return. His wits did return, and he labored like a giant for America. Only with his dramatic (or, perhaps we should say, melodramatic) death did he cease to thunder against " the dismemberment of this ancient and most noble monarchy."

Somehow, we seem to correct certain errors in our Americanized sense of proportion by recalling Chatham in connection with Henry. One was primitive, plain, a man of the provinces; the other, a complex development of high-pressure life at the centre of English civilization. One was simple and sincere; the other cloaked himself constantly. But each had a lofty view, each was far-seeing, each was patriotic, and each was born to enthrall mankind with masterful tongue.

As an orator, Henry had much in common with Chatham, whose voice was melodious and whose gesture and delivery were superb. Arthur S. McDowall says: " The most remarkable characteristic of his speaking was its union of dramatic power with a striking moral ascendancy; and this was the salient characteristic of his life as well as oratory." Grattan said: " He lightened upon his subject and reached the point by the flashings of his mind, which were felt but could not be followed." In this, he was Henry over again.

But King George and Mr. Townshend and another man made Chatham's oratory unavailing. Let us consider this other man—Samuel Adams. If Henry were the trumpeter of the Revolution, Adams was beyond all question its organizer. As with Henry, his start in life was such as to foreshadow failure. His enemies declared that he bore the regal government a grudge because of his father's misadventure in the Land Bank scheme. They attributed a selfish motive to Otis also, saying that he was revengeful, and that he never would have been a patriot if the "greedy Hutchinsons" had not snatched the Chief-Justiceship from James Otis, Senior. All this, of course, is beside the mark. Adams had few equals in public spirit. What did he care if his malt-house roof fell in? He was poor—the people clothed him. They repaired his dwelling for him. They put silver Johannes into his pocket because they knew he was working for them and could not be bribed. Some believe that our American word "caucus" first issued, not from the throat of a crow, but from the mouth of a patriotic Bostonian who was trying to say "Caulkers' Club." Adams agitated among the caulkers and rope-makers and organized the Caulkers' Club, just as he organized everything else. If not the first American politician, he was the first genius in American politics. Governor Hutchinson—a forceful man, a great man, indeed—soon called Adams "the chief incendiary of the province." Daniel Leonard, loyalist, denounced his plan to knit together the town-meetings of Massachusetts as "the foulest, subtlest, and most venomous serpent ever issued from the egg of sedition." Adams, says Bancroft, was "the helmsman of the Revolution at its origin, the truest representative of the home rule of Massachusetts in its town-meetings and General Court." He not only schemed like a politician, but planned like a statesman, and grew in boldness

and practicality with the growth of his own great work. It is rarely that a man is both strategist and zealot, as Samuel Adams was. So shrewd was he that one might imagine him cold by nature; but how warm a heart he had for his fellow-men is attested in his sacrifices and labors. When we compare Adams with Henry, we find that each was virile, sagacious, comprehensive in mental grasp, and animated by the spirit of democracy. Let this spirit become debased, and it is of slight worth; but when first welcomed in an imaginative mind, no theoretical conception has truer human warmth and beauty. It operates to expel from one caste selfishness, pride, and even that imp which clings closest to us—greed. It humanizes, fraternizes, puts a large philanthropy into our politics. It reverses the line: "His hand will be against every man, and every man's hand against him." Ishmael dies, and with him we bury a selfish civilization. Such is the idea of democracy in its first glow, and there is no doubt that there were moments when both Adams and Henry were influenced by it.

But, while alike in certain of the larger qualities, the two differed greatly in environment as well as in individual traits. At this period of their lives, Adams was far beyond Henry in executive ability and proselyting skill. Except for some thousands of Hutchinsonians and other loyalists, all Massachusetts was at school—with Adams as the teacher. When it became clear that this brewer was brewing rebellion, the King's anger fell upon Boston. Troops came. There was a massacre of citizens. With Lord North on one side of the sea and General Gage on the other, the persistent King grew more and more enamored of punitive processes. In course of time the port was shut. The charter of the colony was taken away. Up and down the whole seaboard, the people watched these proceedings, and

were filled with grave concern. They knew that what happened in one province might happen in all. They had no stomach for such coercion, and felt the unifying impulse that is quickly bred under the menace of a general calamity. Not alone with the Whig masses was it so, but with men like John Dickinson, whose "Letters to a Pennsylvania Farmer" appealed to the intellect rather than to the passions.

Dickinson it was who wrote to Richard Henry Lee: "Virginia, sir, has maintained the common cause, with such attention, spirit, and temper as has gained her the highest degree of reputation among the other colonies. It is as much in her power to dishearten them as to encourage them." While there was far less of ferment in Virginia than in Massachusetts, and no bloodshed whatever, the spirit aroused by Henry was consistently maintained. This, too, in face of the fact that Norborne Berkeley, Baron de Botetourt, labored with delicacy, sympathy, and all those winning arts of which he was master to coax the Virginians back the way they had come. His purpose was to hold the colony aloof from her seditious sisters. Fine lindens shaded the grounds around his "palace" at Williamsburg, and fine companies gathered there, as well as in the spacious reception-room hung with portraits of the King and Queen. Tactful he was, and, better still, sincere—well worthy of the noble statue erected in his honor by those whom he vainly sought to hold to an allegiance they were prone to forswear. For Botetourt failed. He could not undo Henry's work. Every year some fresh event rearoused the people. When the King wished to deport his "traitors" for trial in England, the House of Burgesses uttered a protest. Washington, working with George Mason, proposed that Americans should organize general non-importation societies; and this was done with effect. Massachusetts was applauded

for her "attention to liberty." Knowing that they would be prorogued for resolving against the regal government, the Burgesses nevertheless resolved. Time and again they took up their hats and walking-sticks, ascended to the Council Chamber above stairs in the Capitol, and received the rebukeful message that sent them to their homes. But they did not always go straight home. It suited them at times to reassemble in the "Apollo room" of the Raleigh Tavern. This was a large frame building with two fronts. Over the main entrance was a leaden bust of Sir Walter Raleigh The "Apollo" or long room became so famous as a meeting-place of anti-government men that John Esten Cooke finds a certain fitness in calling it the "Faneuil Hall of Virginia." As the quarrel progressed, it grew to be a sort of opposition capitol. Especially was this the case after Botetourt's death, when John Murray, Earl of Dunmore, became Governor. Botetourt had been courtly; Dunmore, a pupil of Bute himself, was "coarse and depraved." Botetourt had been in Henry's way; Dunmore accelerated the work of the Hanover "rebel."

For, though not exactly a rebel of the Adams type, Henry merited the name. As ex-President Tyler said to Hugh Blair Grigsby: "John Tyler called a son after Wat Tyler. On one occasion when Patrick Henry visited Mr. Tyler, between whom and Henry there existed a long and intimate friendship, terminated only by the death of the latter, he saw the infant on the lap of his mother and asked his name. 'He is called, Colonel Henry, after the two greatest rebels in English history.' 'Pray, madam, who were they?' 'Wat Tyler and Patrick Henry.' The name of the boy was Walter Henry Tyler." But, rebel though he was, it should not be inferred that Henry was lacking in the qualities of patience and circumspection. No man knew better

than he when to strike and when to stay his hand. "No man ever knew men better, singly or in mass," says the author of "Homes of American Statesmen"; "none ever better knew how to sway them; but none ever less abused that power; for he seems ever to have felt, with a religious force, the solemnity of all those public functions which so few now regard." "It was to him," said Thomas Jefferson to Daniel Webster, "that we were indebted for the unanimity that prevailed among us." There is other direct evidence to this effect in the matter of Henry's long leadership prior to the clash of arms.

But we do ourselves a manifest disservice if we so shut our minds as to see Henry only in those acts and attitudes which happened to be noted by his neighbors, friends, or rivals. The documentary cue is essential; but, given cues enough, we may reënflesh the man. Shall he come out from behind the curtain and bow to us only when Judge Tyler, or Mr. Jefferson, or some other contemporary can be persuaded to mention him? Rather let us assume that he was abroad on many a bright day and many a stormy one; that his horse knew other roads than the road from Hanover to the Capitol, and that in his rides from county court to county court he was not averse to the use of his tongue in the patriot cause. In other words, we are justified in assuming that Henry made speeches of which no records survive. The Virginia thunder-storm comes up, sweeps the land, passes, and is forgotten save for the freshening of the corn glistening under the sun. So Henry, speaking at some remote cross-roads, whither he had journeyed in his circuit, may have thundered against the King, though no echo of his words has reached us. Occasionally one finds some such Williamsburg incident as this, related by Major Scott to Judge Roane: "Mr. Henry was declaiming

against the British King and ministry, and such was the effect of his eloquence that all at once the spectators in the gallery rushed out. It was at first supposed that the house was on fire. Not so. But some of the more prominent of these spectators ran up into the cupola and dowsed the royal flag which was there suspended!"

This must have been during the exciting Dunmore days, to which period Jefferson refers when he says:

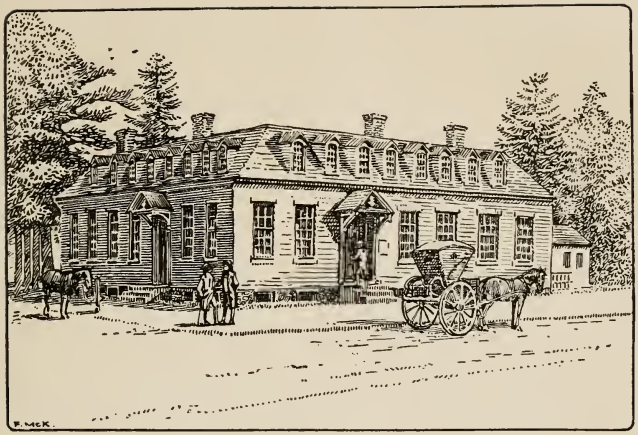
"Subsequent events favored the bolder spirits of Henry, the Lees, Pages, Mason, etc., with whom I went in all points. Sensible, however, of the importance of unanimity among our constituents, although we wished to have gone faster, we slackened our pace, that our less ardent colleagues [Pendleton, Wythe, Bland, Randolph, and Nicholas] might keep up with us; and they, on their part, differing nothing from us in principle, quickened their gait somewhat beyond that which their prudence might of itself have advised, and thus consolidated the phalanx which breasted the power of Britain. By this harmony of the bold with the cautious, we advanced with our constituents in undivided mass, and with fewer examples of separation than, perhaps, existed in any other part of the Union."

Jefferson is justified in using "we" when he thus testifies concerning the events of one century for the enlightenment of the children of another century. We are to assume that he meant to impart the truth; but, to get at the real truth, it is essential to bear in mind that he was an old man and likewise a veteran in embittered controversies when he wrote the foregoing and following reminiscences. After he had presented to the world that document so precious to Americans, his life was one continued course of experimental republicanism. He gave and received hard blows. He passed through so much that his sight was by no means so clear or his nature so generous as when he had danced with his Belinda in the Raleigh's "Apollo," or

a little later sat with Henry there, planning to outwit the King. Henry was Jefferson's senior by seven years; Henry had long led the Assembly and the people; Henry it was whom Dunmore regarded as the chief marplot of the colony. According to William Cabell Rives, Dunmore and Henry were mutually afraid of each other. At any rate, Henry was the head and front of disaffection. We may question, therefore, whether he did not loom larger to young Thomas Jefferson in 1773 than to the reminiscent great man in 1814. There is an amusing passage in Jefferson's "Autobiography" with respect to his "Summary View of the Rights of British America." Being ill, he had sent a copy of it to Henry. "Whether Mr. Henry disapproved the ground taken, or was too lazy to read it (for he was the laziest man in reading I ever knew), I never learned: but he communicated it to nobody."* Possibly Henry was preoccupied; possibly he had a reason for his neglect; but the passage as it stands serves to shed light upon Jefferson's own character rather than Henry's. When Jefferson speaks of Henry, it is well to remember the marked dissimilarity of their mental habits, their moral tone, and their general outlook upon a world big enough for them both.

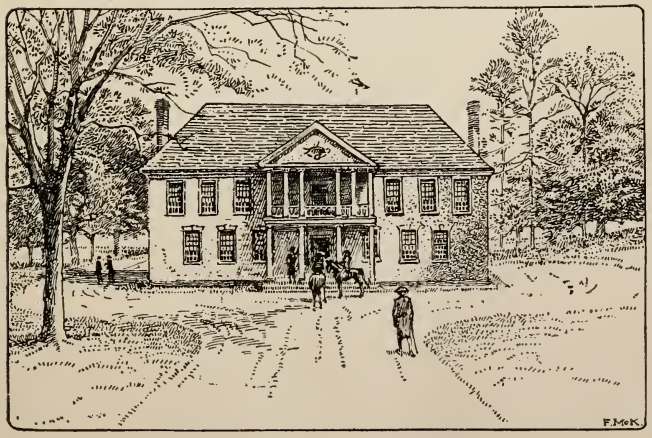
Certainly the "Apollo" was big enough for them both, and big enough to hold their many associates—among them Dabney Carr, who had married Jefferson's sister Martha. Young Carr was so able, so brilliant, so zealous, that he undoubtedly would have won fame as a founder of the nation had he not died in the morning of his day. Let Jefferson tell his story here, since it brings in Henry too. The times, it should be remembered, were "tea-party" times—those enlivening times

* Jefferson elsewhere writes: "Mr. Henry probably thought it too bold, as a first measure, as the majority of the members did."



THE RALEIGH TAVERN, WILLIAMSBURG

(Here, May 18, 1769, May 27, 1774, and August, 1774, members of the House of Burgesses entered into associations against the importation or purchase of British manufactures. Drawn from an old print.)



THE OLD CAPITOL, WILLIAMSBURG

(Built 1705, burned 1746; rebuilt, and again burned 1832. Drawn from an old print.)

THE
NEW YORK
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Astor, Lenox and Tilden
Foundations.

when liberty-poles were put up and cut down and put up again, and the colonists drank tea "made of dried mullein, catnip, balm, sage, and raspberry leaves." But one of Governor Spotswood's daughters (Mrs. Bernard Moore, of Chelsea), it is said, "continued to sip her tea in the closet after it was banished from the table." Says Jefferson:

"Not thinking our old and leading members up to the point of forwardness and zeal which the times required, Mr. Henry, R. H. Lee, Francis L. Lee, Mr. Carr, and myself agreed to meet in the evening in a private room of the Raleigh to consult on the state of things. There may have been a member or two more I do not recollect. We were all sensible that the most urgent of all measures was that of coming to an understanding with all the other colonies to consider the British claims as a common cause to all, and to produce an unity of action: and for this purpose that a committee of correspondence in each colony would be the best instrument for intercommunication: and that their first measure would probably be to propose a meeting of deputies from every colony at some central place, who should be charged with the direction of measures which should be taken by all. We therefore drew up the resolutions which may be seen in Wirt, page 87. The consulting members proposed to me to move them, but I urged that it should be done by Mr. Carr, my friend and brother-in-law, then a new member, to whom I wished an opportunity should be given of making known to the house his great worth and talents. It was so agreed; he moved them, they were agreed to nem. con., and a committee of correspondence appointed of whom Peyton Randolph was chairman. The Governor (then Lord Dunmore) dissolved us, but the committee met the next day, prepared a circular letter to the Speakers of the other colonies, enclosing to each a copy of the resolutions, and left it in charge with their chairman to forward them by expresses."

Such was the origin of the permanent Committees of Correspondence which opened the way for the Continental Congress. Henry was on the Virginia Committee. At once the importance of the plan was appreciated. "Heaven itself seemed to have dictated it to

the noble Virginians," said the *New Hampshire Gazette*. "O Americans, embrace this plan of union as your life! It will work out your political salvation." William Lee wrote from London that it "struck a greater panic into the Ministers than anything that had taken place since the Stamp Act."

Nevertheless, in spite of the shock, the Ministry did little to lessen and much to increase the colonial embitterment. So the quarrel was cumulative. A year of agitation passed; and when the Burgesses reassembled at Williamsburg, on May 5, 1774, the spirit of discord was stronger than ever, with Henry, not Dunmore, master of the situation. Dunmore had picked a boundary quarrel with Pennsylvania. He had embroiled the colony with the Indians. Perhaps he was plotting a diversion. If such were his purpose, he was well thwarted, and that too in this very month of May. An historic and a dramatic month it was, especially the last week, which was crowded with events, as had been the last week in May nine years before. Among the great Virginians then upon the scene was George Mason. He was "a powerful reasoner, a profound statesman, and a devoted republican." He writes from Williamsburg, under date of May 26, to his friend Martin Cockburn:

"I arrived here on Sunday morning last, but found everybody's attention so entirely engrossed by the Boston affair, that I have as yet done nothing respecting my charter-rights, and, I am afraid, shall not this week.

"A dissolution of the House of Burgesses is generally expected; but I think it will not happen before the House has gone through the public business, which will be late in June.

"Whatever resolves or measures are intended for the preservation of our rights and liberties will be reserved for the conclusion of the session. Matters of that sort here are conducted and prepared with a great deal of privacy, and by very few members, of whom Patrick Henry is the principal.

"At the request of the gentlemen concerned, I have spent an evening with them on the subject, when I had an opportunity of conversing with Mr. Henry and knowing his sentiments; as well as of hearing him speak in the House since on different occasions. He is by far the most powerful speaker I ever heard. Every word he says not only engages but commands the attention; and your passions are no longer your own when he addresses them. But his eloquence is the smallest part of his merit. He is in my opinion the first man on this continent, as well in abilities as public virtues, and had he lived in Rome about the time of the first Punic war, when the Roman people had arrived at their meridian glory, and their virtue not tarnished, Mr. Henry's talents must have put him at the head of that glorious Commonwealth."

Good set terms are these. "But his eloquence is the smallest part of his merit." It is not extravagant to assert that Henry never had better praise from any man than Mason's. The source of the stream is pure; and so it sparkles, and will continue to sparkle.

Mason was generous; Jefferson, hardly so. Again it is he who takes up the thread of Henry's story, interweaving it with his own. In the "Memorandum" he remarks: "The next great occasion on which he [Henry] signalized himself was that which may be considered the dawn of the Revolution in March [May], 1774." And in the "Autobiography" he says:

"The next event which excited our sympathies for Massachusetts was the Boston Port bill, by which that port was to be shut up on the 1st of June, 1774. This arrived while we were in session in the spring of that year. The lead in the House on these subjects being no longer left to the old members, Mr. Henry, R. H. Lee, Fr. L. Lee, three or four other members whom I do not recollect, and myself, agreeing that we must boldly take an unequivocal stand in the line with Massachusetts, determined to meet and consult on the proper measures in the Council Chamber, for the benefit of the library in that room. We were under conviction of the necessity of arousing our people from the lethargy into which they had fallen as to passing events; and thought that the appointment of a day of

general fasting and prayer would be most likely to call up and alarm their attention. No example of such solemnity had existed since the days of our distresses in the war of '55, since which a new generation had grown up. With the help therefore of Rushworth, whom we rummaged over for the revolutionary precedents and forms of the Puritans of that day, preserved by him, we cooked up a resolution, somewhat modernizing their phrases, for appointing the first day of June, on which the Port bill was to commence, for a day of fasting, humiliation, and prayer, to implore heaven to avert from us the evils of civil war, to inspire us with firmness in support of our rights, and to turn the hearts of the King and Parliament to moderation and justice. To give greater emphasis to our proposition, we agreed to wait the next morning on Mr. Nicholas, whose grave and religious character was more in unison with the tone of our resolution, and to solicit him to move it. We accordingly went to him in the morning. He moved it the same day; the first of June was proposed, and it passed without opposition. The Governor dissolved us as usual. We retired to the Apollo as before, agreed to an association, and instructed the Committee of Correspondence to propose to the correspondence committees of the other colonies to appoint deputies to meet in Congress at such place, annually, as should be convenient to direct, from time to time, the measures required by the general interest; and we declared that an attack on any one colony should be considered an attack on the whole. This was in May."

It was the 27th of May, and there was much more excitement at the Capitol than Jefferson's measured words imply. True, the outward aspect of things was peaceful; for in the hall of the House, on the evening of the 28th, a ball was given in honor of Lady Dunmore and her daughters; but there was a deep undercurrent setting towards colonial unity, and, if need be, war. Elsewhere on the continent there was a great stir, and in other quarters of it, this same red-letter week, propositions were made that intercolonial delegates should assemble in a general Congress. But officially the Virginians led. Elsewhere, also, on the first of June business was suspended, bells were tolled, and flags were lowered to half mast. In Virginia, says Jefferson, " the

people met generally, with anxiety and alarm in their countenances, and the effect of the day thro' the whole colony was like a shock of electricity, arousing every man and placing him erect and solidly on his centre. They chose universally delegates for the convention."

To this convention, which sat in Williamsburg during the first six days in August, the freeholders of Hanover sent Patrick Henry and his half-brother, John Syme. "United we stand, divided we fall," said the freeholders in their address to the two delegates. Nor was the spirit of the convention itself less ardent. All things were making for union. Unlike Samuel Adams, Henry had no occasion for further local manœuvring. With Peyton Randolph, Richard Henry Lee, George Washington, Richard Bland, Benjamin Harrison, and Edmund Pendleton, he was chosen to attend the Continental Congress.

"Unlike Adams," it is said; and with reason, for though Adams had overthrown his powerful antagonist, Thomas Hutchinson, he was outfaced by General Gage with veteran regiments at his back. In crediting Henry with successful leadership in Virginia, the honest mind cannot but revert to the burden borne by Adams in Massachusetts. And to round out our comparison between the two leaders, Adams may well come into our pages at this particular juncture. Many able men in many parts of the land were at work in a common cause; and only by taking their several efforts into account can one reach a just conclusion as to the services and merits of an individual. Some there were whose fortunes were directly jeopardized; some whose sacrifices were nobly made; some whose great worth only their neighbors knew. But in the matter of the committees of correspondence which led to the "Congress of Committees" now about to meet, one dare not fail to give Adams his due. He did not suggest the

idea of permanent intercolonial committees—that was a Virginia suggestion; but in all likelihood the plan was an outgrowth of his scheme for interknitting the Massachusetts towns. Professor James K. Hosmer, telling of the genesis of the Boston Committee, adds:

"The towns almost unanimously appointed similar committees; from every quarter came replies in which the sentiments of Samuel Adams were echoed. In the library of Bancroft is a volume of manuscripts, worn and stained by time, which have an interest scarcely inferior to that possessed by the Declaration of Independence itself. . . . They are the original replies sent by the Massachusetts towns to Samuel Adams' Committee, sitting in Faneuil Hall, during those first months of 1773. One may well read them with bated breath, for it is the touch of the elbow as the stout little democracies dress up into line, just before they plunge into actual fight at Concord and Bunker Hill. There is sometimes a noble scorn of the restraints of orthography, as of the despotism of Great Britain, in the work of the old town clerks, for they generally were secretaries of the committees; and once in a while a touch of Dogberry's quaintness, as the punctilious officials, though not always 'putting God first,' yet take pains that there shall be no mistake as to their piety by making every letter in the name of the Deity a rounded capital. Yet the documents ought to inspire the deepest reverence. They constitute the highest mark the town-meeting has ever touched."

Adams had set a great yeomanry astir and become their master spirit. We have brought Henry to the point of setting out for Philadelphia; let us see how Adams and his associates turned their faces towards the same city. "Am told," says John Andrews, "they made a very respectable parade in sight of five of the regiments encamped on the Common, being in a coach and four, preceded by two white servants well mounted and armed, with four blacks behind in livery, two on horseback and two footmen." It was a new experience for Samuel Adams—his first long trip from Boston; it was a new experience for Patrick Henry—rarely

had he been under any other blue roof than that which arched from the Appalachies to the Chesapeake.

With Pitt at the opening, Pitt also comes in at the close of this chapter of contrasts and comparisons; for, in his manuscript "History of Virginia," Edmund Randolph, who in Stamp Act times was a fine little Williamsburg aristocrat of twelve, drew a parallel between the two orators, and depicted Henry in the elaborate manner now about to be reproduced. Of the young men of the Revolution few were so rich in promise as the learned and brilliant Randolph, Washington's aide—the Whig son of a Tory father who fled to die in lamentation over-sea. Like Judge St. George Tucker, Randolph was by no means a Henry enthusiast —at least in his latter days. Politics bred coldness as well as heat. Tucker once permitted himself to be unfair towards Henry; and, later, Randolph was at bitter odds with him. Thus Tucker's pen-sketch, already given, as well as Randolph's, which follows, was made with the left hand rather than with the right. No incense is burned by either. Having told of the aristocracy, this grandson of Sir John Randolph proceeds, in his deliberate and exact, if somewhat oracular, style:

"To Patrick Henry the first place is due, as being the first who broke the influence of that aristocracy. Little and feeble as it was, and incapable of daring to assert any privilege clashing with the right of the people at large, it was no small exertion in him to surprise them with the fact that a new path was opened to the temple of honor, besides that which led through the favor of the King.

"He was respectable in his parentage; but the patrimony of his ancestors and himself was too scanty to feed ostentation or luxury. From education he derived those manners which belong to the real Virginian planter, and which were his ornament, in no less disdaining an abridgement of personal independence, than in observing every decorum interwoven with the comfort of society.

"With his years the unbought means of popularity increased. Identified with the people, they clothed him with the confidence of a favorite son. Until his Resolutions on the Stamp Act, he had been unknown, except to those with whom he had associated in the hardy sports of the field and the avowed neglect of literature. Still he did not escape notice, as occasionally retiring within himself in silent reflection, and sometimes descanting with peculiar emphasis on the martyrs in the cause of liberty. This enthusiasm was nourished by his partiality for the dissenters from the established church. He often listened to them, while they were waging their steady and finally effectual war against the burthens of that church, and from a repetition of his sympathy with the history of their sufferings, he unlocked the human heart, and transferred into civil discussions many of the bold licenses which prevailed in the religions. If he was not a constant hearer and admirer of that stupendous master of the human passions, George Whitefield, he was a follower, a devotee of some of his most powerful disciples at least. All these advantages he employed by a demeanor inoffensive, conciliating, and abounding in good humor.

"For a short time he practiced the law in a humble sphere—too humble for the real height of his powers. He then took a seat at the bar of the General Court, the supreme tribunal of Virginia, among a constellation of eminent lawyers and scholars, and was in great request even on questions for which he had not been prepared by much previous erudition.

"Upon the theatre of legislation, he entered, regardless of that criticism which was profusely bestowed on his language, pronunciation, and gesture. Nor was he absolutely exempt from an irregularity in his language, a certain homespun pronunciation, and a degree of awkwardness in the cold commencement of his gesture. But the corresponding looks and emotions of those whom he addressed speedily announced that language may be sometimes peculiar, and even quaint, while it is at the same time expressive and appropriate; that a pronunciation which might disgust in a drawing-room may yet find access to the heart of a popular Assembly; and that a gesture at first too much the effect of indolence may expand itself in the progress of delivery into forms which would be above rule and compass, but strictly within the prompting of nature. Compared with any of his more refined contemporaries and rivals, he by his imagination, which painted to the soul, eclipsed the sparklings of art; and knowing what chord of the heart would sound in unison with his immediate purpose,

and with what strength or peculiarity it ought to be touched, he had scarcely ever languished in a minority up to the time to which his character is now brought.

"Contrasted with the most renowned of British orators, the elder William Pitt, he was not inferior to him in the intrepidity of metaphor. Like him, he possessed a vein of sportive ridicule, but without arrogance or dictatorial malignity. In Henry's exordium there was a simplicity and even carelessness, which to a stranger, who had never before heard him, promised little. A formal division of his intended discourse he never made, but even the first distance, which he took from his main ground, was not so remote as to obscure it, or to require any distortion of his course to reach it. With an eye which possessed neither positive beauty, nor acuteness, and which he fixed upon the moderator of the Assembly addressed, without straying in quest of applause, he contrived to be the focus to which every person present was directed, even at the moment of the apparent languor of his opening. He transfused into the breasts of others the earnestness depicted in his own features, which ever forbade a doubt of sincerity. In others rhetorical artifice, and unmeaning expletives, have been often employed as scouts to seize the wandering attention of the audience: in him the absence of trick constituted the triumph of nature. His was the only monotony which I ever heard reconcilable with true eloquence; its chief note was melodious, but the sameness was diversified by a mixture of sensations, which a dramatic versatility of action and countenance produced. His pauses, which for their length might sometimes be feared to dispel the attention, rivetted it the more by raising the expectation of renewed brilliancy. In pure reasoning he encountered many successful competitors; in the wisdom of books many superiors; but though he might be inconclusive, he was never frivolous; and arguments which at first seemed strange, were afterwards discovered to be select in their kind, because adapted to some peculiarity in his audience. His style of oratory was vehement, without transporting him beyond the power of self-command, or wounding his opponents by deliberate offence; after a debate had ceased, he was surrounded by them on the first occasion with pleasantry on some of its incidents. His figures of speech, when borrowed, were often borrowed from the Scriptures. The prototypes of others were the sublime scenes and objects of nature; and an occurrence of the instant he never failed to employ with all the energy of which it was capable. His lightning consisted in quick successive flashes, which rested

only to alarm the more. His ability as a writer cannot be insisted on: nor was he fond of a length of details, but for grand impressions in the defence of liberty, the western world has not yet been able to exhibit a rival. His nature had probably denied to him, under any circumstances, the capacity of becoming a Pitt, while Pitt himself would have been but a defective instrument in a Revolution the essence of which was deep and pervading popular sentiment."

VIII

ON A LARGER STAGE—THE CONTINENTAL CONGRESS

WHAT is our American tendency with respect to those who colonized this part of the world, freed it from foreign control, and opened it to the use of man? Towards hero-worship, beyond doubt.

So strong is this tendency that it puts us under an illusion, makes poetry sometimes out of rank prose, and keeps us from seeing the colonists, founders and pioneers, as they actually were.

On the other hand, those who attempt to destroy the illusion often go too far in their iconoclasm. The swing is from one extreme to its opposite. At times we suspect our idol-smashers of seeking to curry favor with high authorities abroad—the world-scholars, who themselves are under still older illusions. We see also that the iconoclasts omit, or severely qualify, certain old-fashioned laudatory passages, however well-based, as if determined not to lay themselves open to the charge of departing from a set tone of restraint and reserve. Not a few of them mistake abuse for illuminating fact; accordingly, they seek to rewrite Revolutionary history from the standpoint of petty scandal. They patch anecdotes together, and give us a caricature in silhouette rather than a portrait or a character. Thus they attack John Hancock—tell how Samuel Adams prepared his speeches for him. They attack Franklin—assume that he was lukewarm in behalf of the colonies because his son was a crown officer; and they dwell with unction upon the day when "Poor Richard" cowered under Wedderburn's savage assault in the presence of the Privy Councillors. They attack Washington—even tell of

his false teeth, made of hippopotamus tusks; his immense nose, often red; his morning dram; his propensity to cuff stable-boys when they failed to rub the mud off the legs of his coach-horses; his riches got by marriage; his distresses and fits of anger, due to the selfishness, cunning, and duplicity of some of the same public men now beautifully embalmed in our hero-books. They dig up journals, diaries, letters, ana, and memoirs, like Jefferson's and Graydon's, and prove to us that our worshipful great ones were really little mortals made of clay—in fine and in fact, that our "worthies" were unworthy of the admiration and reverence we bestow upon them. There is no denying that the bit of gossip, the realistic trifle, often serves a good purpose. It does so when it helps to humanize —when it brings us to a clear view of some hazy immortal who up to that time may have been so unreal to us as to be beyond our sympathies.

But in spite of defamation, and in spite of the method of judicious measurement affected by those who go to England and look back upon America to get its size before writing about it, we hold fast to our heroes. We are not so lacking in sense as to run to spread-eagleism. Yet we cannot be tepid. Why should we be? Who sowed, we say, where millions upon millions reap? Who put the nation in a way to grow towards its present greatness and that greatness inconceivable promised for the future? Again the founders of the Republic loom large and take on the hero size. Think as we may, the masses of us circle back in the end to the point whence we took our start—to our illusions, if you please, to our deep love for these men and our joy in them.

The truth is, the First Congress was so manifestly admirable as to evoke richer eulogy in its own day than it does in ours. The Earl of Camden said that he

" would have given half his fortune to have been a member of that which he believed to be the most virtuous public body of men which ever had or ever would meet together in this world." Chatham said, in the House of Lords:

" When your lordships look at the papers transmitted us from America, when you consider their decency, firmness, and wisdom, you cannot but respect their cause, and wish to make it your own. For myself, I must declare and avow that in all my reading of history and observation—and it has been my favorite study—I have read Thucydides, and have studied and admired the master-states of the world—that for solidity of reasoning, force of sagacity, and wisdom of conclusion under such a complication of difficult circumstances, no nation or body of men can stand in preference to the General Congress at Philadelphia. I trust it is obvious to your lordships that all attempts to impose servitude upon such men, to establish despotism over such a mighty continental nation, must be vain, must be fatal."

Let us look at close range upon the members of this Congress. Sunburnt from off the sea, the South Carolinians were first to reach the place of meeting. Two were brought by the Charleston packet; two by the " Sea Nymph." No Georgians appeared. The Northern delegates came down on horseback or by coach. For some hundreds of miles their journey was a patriotic progress. Feasts awaited them; bells were rung, and gunpowder salutes were sounded. Anon cavalcades accompanied them, and for the Massachusetts delegates in the last stage of their journey there was an unexpected dip into American politics. Not all things connected with the First Continental Congress were so " high-erected " as Lord Camden and Lord Chatham imagined. Says John Adams:

" We were met at Frankfort [Frankford] by Dr. Rush, Mr. Mifflin, Mr. Bayard, and several other of the most active Sons of Liberty in Philadelphia, who desired a conference with us.

We invited them to take Tea with us in a private apartment. They asked leave to give us some information and advice, which we thankfully granted. They represented to us that the friends of Government in Boston and in the Eastern States, in their correspondence with their friends in Pennsylvania and all the Southern States, had represented us as four desperate adventurers. 'Mr. Cushing was a harmless kind of man, but poor, and wholly dependent upon his popularity for his subsistence. Mr. Samuel Adams was a very artful, designing man, but desperately poor and wholly dependent upon his popularity with the lowest vulgar for his living. John Adams and Mr. Paine were two young Lawyers, of no great talents, reputation, or weight, who had no other means of raising themselves into consequence but by courting popularity.' We were all suspected of having Independence in view. Now, said they, you must not utter the word Independence, nor give the least hint or insinuation of the idea, neither in Congress or any private conversation; if you do, you are undone; for Independence is as unpopular in Pennsylvania and in all the Middle and Southern States as the Stamp Act itself. No man dares to speak of it. Moreover you are the Representatives of the suffering State. You are thought to be too warm, too zealous, too sanguine; you must therefore be very cautious. You must not come forward with any bold measures; you must not pretend to take the lead. You know Virginia is the most populous State in the Union. They are very proud of their 'antient Dominion,' as they call it; they think they have the right to lead the Southern States; and the Middle States, too, are too much disposed to yield to them. This made a deep impression on my mind, and it had an equal effect on my colleagues. This conversation, and the principles, facts, and motives suggested in it, have given a color, complexion, and character to the whole policy of the United States from that day to this (Aug. 6, 1822). Without it . . . Mr. Jefferson [would never] have been the Author of the Declaration of Independence, nor Mr. Richard Henry Lee the mover of it. . . . Although this advice dwelt deeply on my mind, I had not in my nature prudence and caution enough always to observe it. It soon became rumored about the city that John Adams was for Independence; the Quakers and Proprietary gentlemen took the alarm; represented me as the worst of men; the true-blue Sons of Liberty pitied me; all put me under a kind of Coventry. I was avoided like a man infected with the Leprosy. I walked the streets of Philadelphia in solitude, borne down by the weight of care and unpopularity."

In his "Diary," after telling of the Frankford conference, Adams further says:

"We then rode into town, and dirty, dusty, and fatigued as we were, could not resist the importunity to go to the tavern, the most genteel one in America. . . . Here we had a fresh welcome to the city of Philadelphia, and, after some time spent in conversation, a curtain was drawn, and in the other half of the chamber a supper appeared, as elegant as any ever laid upon the table."

This was on the 29th of August. Patrick Henry was still in Virginia. For the sake of the glimpses we shall get of him—and throughout this period of the Continental Congress we are to see him over some one else's shoulder, rather than full front, as we should like—it behooves us to follow him in his northward journey. Quite as spirited as any of John Adams' sketches of the delegates is one by an old vestryman, Roger Atkinson, of Mannsfield, near Petersburg, who described the Virginia members in a letter to his brother-in-law, Samuel Pleasants. Henry, he says, "is a real half-Quaker—your brother's man—moderate and mild, and in religious matters a saint; but the very d—l in politics—a son of thunder. He will shake the Senate. Some years ago he had liked to have talked treason into the House." Of Peyton Randolph, he says: "A venerable man, whom I well know and love; an honest man; has knowledge, temper, experience, judgment—above all, integrity; a true Roman spirit." Of Richard Henry Lee, he says: "I think I know the man, and I like him: need I say more?" Of Washington, he says: "He is a soldier—a warrior; he is a modest man; sensible; speaks little; in action cool, like a Bishop at his prayers." Of Colonel Bland, he says: "A wary, old, experienced veteran at the bar and in the Senate; has something of the look of old musty parchments, which he handleth and

studieth much. He formerly wrote a treatise against the Quakers on water-baptism." Of Benjamin Harrison, he says: "He is your neighbour, and brother-in-law to the Speaker (Peyton Randolph); I need not describe him." Of Pendleton, he says: "The last and best, though all good. The last shall be first, says the Scripture. He is an humble and religious man and must be exalted. He is a smooth-tongued Speaker, and, though not so old, may be compared to old Nestor,—

> "'Experienced Nestor, in persuasion skill'd,
> Words sweet as honey from his lips distill'd.'"

Two of these worthies, Pendleton and Henry, became Washington's guests at Mount Vernon on the 30th of August, and remained there until after dinner on the 31st. Lee was to have joined them, but had been detained at his Chantilly estate in Westmoreland. Randolph, Harrison, and Bland had gone on before. Washington, it may be noted, was now taking an advanced and resolute stand on Henry's ground. As it was Washington who moved to associate for non-importation, there is reason to believe that he had determined long before to do what he could to strengthen the colonial contention; but in the summer of 1774 there are unmistakable signs of an intensification of feeling on his part—of his settled purpose to lend the full weight of his shoulder against the King. His speech had been the most eloquent in the Convention. He had said: "I will raise one thousand men, subsist them at my own expense, and march myself at their head for the relief of Boston." His wife was equally zealous. If, on the evening of the 30th, she talked with Henry about his neighbors, her cousins, in Hanover, she probably also took part in the political conversation—made all the more animated by the presence of George Mason, who had come over from Gunston Hall to bid the travellers God-

speed to Philadelphia and a happy issue for the continent. We can well imagine this party on the Mount Vernon lawn, under the August stars, with the Potomac sweeping by. "Mrs. Washington," wrote Pendleton to a friend, "talked like a Spartan to her son on his going to battle. 'I hope you will all stand firm,' she said. 'I know George will.'"

Of this meeting, and the Philadelphia pilgrimage, Irving says: "Washington was joined at Mount Vernon by Patrick Henry and Edmund Pendleton, and they performed the journey together on horseback. It was a noble companionship. Henry was then in the youthful vigor and elasticity of his bounding genius, ardent, acute, fanciful, eloquent; Pendleton, schooled in public life, a veteran in council, with native force of intellect, and habits of deep reflection; Washington, in the meridian of his days, mature in wisdom, comprehensive in mind, sagacious in foresight."

Had these three men been knightly leaders such as Sir Walter Scott drew with blithesome pen, they would have spurred their horses into the Potomac, swum them across that broad and dangerous tide, and, waving farewell to Mrs. Washington from the Maryland shore, dashed away towards the North. But the matter-of-fact Washington writes:

"Aug. 31. All the above gentlemen dined here; after which, with Colo. Pendleton and Mr. Henry, I set out on my journey to Philadelphia, and reached Upper Marlboro.

"Sept. 1. Breakfasted at Queen Anne. Dined at Annapolis and lodged at Rock Hall."

And so on, throughout the itinerary. There is no Sir Walter Scott here—not even a John Adams. How appreciative we ought to be of Adams as a gossip of the Revolution, as well as one of its chief promoters, drivers, and managers! His very vanity serves us; just as,

conversely, the lack of it in others operates to deprive us of little links in the chain of fact. He was a forceful man, but often begrudged the glory bestowed elsewhere. Underestimating the abilities of others, he naïvely gave himself good measure. Censorious he was, but illuminating—the father of a fearless and still more censorious son. Had John Adams been with the Virginia travellers, he probably would have told us that in passing from Annapolis to Rock Hall, which is on the Eastern Shore of Maryland, they sailed across the broad and beautiful Chesapeake Bay. He would have told us how cool and green the water looked, and how beautifully it broke into spray; and how many sails he counted far and near; and what Patrick Henry said to him about that "Cæsar" speech which made the Burgesses grow red in the face, crying, "Treason! Treason!" But it is only the unimaginative Washington who reports for us:

"Sept 2. Dined at Rock Hall (waiting for my horses), and lodged at New Town on Chester.

"Sept. 3. Breakfasted at Down's. Dined at the Brick Tavern (Carson's) and lodged at New Castle.

"Sept. 4. Breakfasted at Christeen Ferry. Dined at Chester and lodged at Doctor Shippen's in Philadelphia, after supping at ye New Tavern."

No doubt a welcoming escort would have shown the three Virginians into the city had they not come on a Sunday. As it was, their arrival was soon known. Writing to his wife, Silas Deane said:

"In the afternoon came in the Virginia and Maryland delegates. The Virginia, and indeed all the Southern delegates, appear like men of importance. We waited on and were introduced to them in the evening. They are sociable, sensible, and spirited men, and the short opportunity I had of attending to their conversation gives me the highest ideas of their principles and character." Again he wrote: "You may tell

your friends that I never met, nor scarcely had an idea of meeting, with men of such firmness, sensibility, spirit, and thorough knowledge of the interests of America as the gentlemen from the Southern Provinces appear to be."

"They are fine fellows from Virginia," wrote Joseph Reed, "but they are very high. The Bostonians are mere milksops to them. We understand they are the capital men of the colony, both in fortune and understanding."

In these little group-sketches there is no singling out of any one, so we are seeing Henry only by indirection. He blends with the others. Soon the various delegations pass into one great picture, and it becomes difficult to dissociate and individualize. Thanks to John Adams, we are enabled to fix our attention for a moment upon Thomas Lynch, of South Carolina, who had much to do with the preliminary arrangements of the Congress, "a solid, firm, judicious man"; upon Philip Livingston, of New York, "a great, rough, rapid mortal"; upon William Livingston, of New Jersey, "a plain man, tall, black . . . nothing elegant or genteel about him"; upon James Duane, of New York, "who has a sly, surveying eye, a little squint-eyed . . . very sensible, I think, and very artful"; and upon Cæsar Rodney, of Delaware, "the oddest looking man in the world; he is tall, thin and slender as a reed, pale; his face is not bigger than a large apple, yet there is sense and fire, spirit, wit, and humor in his countenance."

"At ten," continues Adams, in his memorandum for Monday, September 5, "the delegates all met at the City Tavern, and walked to the Carpenters' Hall, where they took a view of the room, and of the chamber where is an excellent library. There is also a long entry where gentlemen may walk, and a convenient chamber opposite to the library. The general cry was that this was a good room."

From the east window of this room sloops and schooners could then be seen in Dock Creek, long since vanished. The Hall stood in an open lot. Delegates had to go but a few steps from the New Tavern in Second Street, at the corner of Gold, to be at the place of meeting. By the side of high buildings which now encompass it, the Hall looks like a toy house; yet the British soldiers who shot holes into the copper ball on the vane above the cupola no doubt felt that their target was high enough.

To tell the story of the Hall is almost to tell in brief the story of the province. The bricks were from England, whence the bulk of the Quakers came. The roofing slate was from Wales, whence more Quakers came. Let us now liken the mortar to the Scotch-Irish and the sturdy Germans who cemented the keystone of the Commonwealth, and we round out our comparison. To this day no bricklayer, but only a granite-cutter, can break the mortar used by the master-carpenters of Philadelphia, whose trade lineage and traditions were those of the Worshipful Company of Carpenters founded in London in 1477. The colonial mechanics built well. Already their city of five thousand houses was the model for many towns in the Middle Colonies, and it was the metropolis of the continent. There were no Sir Christopher Wrens among them, but they had learned something of Sir Christopher's art. Numerous "elegant seats" on the suburban hills supplied evidence of their skill. They were substantial men, given to holding fast like their hand-wrought nails; and, since the Assembly of the province was about to occupy the State House, it was doubtless a pleasure to these builders to be able to extend the courtesy of their hall to the builders of a nation. At any rate, undeterred by such warning as that in the *Royalist,* which said to them, "Your necks may be inconveniently lengthened, if you don't look out," they

gave over the main chamber of their hall, with its twelve twelve-paned windows and its thirteenth fan-window, to the representatives of the thirteen colonies. But those who in these days visit Carpenters' Hall to view the stage of action, and thereby assist, themselves, in repeopling it with the actors, should be reminded that only half of the present chamber was in use by the Congress. There was a partition then, extending on the north and south line from doorway to doorway; and there were two chambers instead of one.

To Patrick Henry, with his quick, sharp way of looking at things, there must have been much of interest in the men he met and the sights he saw—the crowds, the markets, the paved and lamp-lit streets, the Quaker life of the town; the women, in drab, no less fine for lack of color in their garb; the red-coated soldiers; sailors from afar; the watchmen who called out the hours when all was still. Untravelled as Henry was, this must have seemed to him a new world.

But especially was he interested in the state of opinion in this great colony, and the prospect of coöperative effort on the part of such leaders as Galloway and Dickinson. In Galloway he was quick to recognize a polished man, with masterful qualities, but no friend, certainly. With "Farmer" Dickinson, "tall, slender as a reed, pale as ashes," it was different. He was refined, rich, literary. At home he heard from his own mother such Tory foreboding as this: "Johnny, you will be hanged; your estate will be forfeited and confiscated; you will leave your excellent wife a widow, and your charming children orphans, beggars and infamous."

Henry could readily understand the difference between Dickinson's political position and his own. Dickinson's mind was logical, loyal, unimaginative, unrebellious. He was too intellectual to blow up his own dormant fires with good Whig bluster. What did he care for the

unborn Republic which others had begun to adumbrate in their dreams? Justice he wanted, but justice with peace. In spite of royal and ministerial harshness amounting to unnatural tyranny, he could not but love that mother country over-sea. He was a power among the Quakers, and they likewise were irresolute. They thought ill of the politics of King George, but well of the dear land whence they had wandered.

Charles Thomson, also, interested Henry. Thomson's life was a romance. As an eleven-year-old boy, he was one of the twenty thousand exiles from Ulster. His father and mother were buried at sea, and he and his little brothers and sisters were as waifs on the shore—destitute, forlorn. At New Castle, the night he was put off the ship, he slept at a blacksmith's, and, hearing the blacksmith lay plans to make an apprentice of him, he slipped away in the darkness. Next morning, on the road, a gentlewoman stopped her carriage to question him; made much of him; sent him to a classical school. Hearing an auctioneer cry, "An unknown outlandish book; who bids?" the boy bought it. It was a part of the Greek Septuagint, and he became enamored of Greek. Once he walked all night from Thunder Hill twenty miles to town, to buy a copy of the *Spectator*; and again he walked a hundred miles to construe Greek with an expert. His heart warmed towards the Indians. When he was grown, the Lenni Lenape named him "Wegh-wu-law-mo-end," "the man who tells the truth," because he reported them correctly. "Here comes Charles Thomson, the man who tells the truth," was long a phrase of the town. Just now he was known as "the Sam Adams of Philadelphia"—"the life of the cause of liberty, they say." Just now, also, he was a happy man; for, on the day Washington's party crossed the Chesapeake, he was married to the heiress of Harriton. He says:

"I was married to my second wife on a Thursday; on the next Monday I came to town to pay my respects to my wife's aunt and the family. Just as I alighted in Chestnut Street, the doorkeeper of Congress (then first met) accosted me with a message from them requesting my presence. Surprised at this and not able to divine why I was wanted, I however bade my servant put up the horses, and followed the messenger myself to the Carpenters' Hall and entered Congress. Here was indeed an august assembly, and deep thought and solemn anxiety were observable on their countenances. I walked up the aisle, and standing opposite to the President, I bowed and told him I waited his pleasure. He replied: 'Congress desire the favor of you, sir, to take their minutes.' I bowed in acquiescence and took my seat at the desk."

That desk was his for fifteen years. He would take no pay. "Reticent as a sphinx," he was always punctual at his post of duty; always faithful in making his records; always courteous, kind, and obliging; and often acted as "a peacemaker between the hotspurs" who from time to time appeared in that body. He could have written the history of the Continental Congress in Homeric Greek, or any other sort of Greek, but he wrote it not at all. On the contrary, this admirable man—tall, thin, erect, and in old age notably snowy, with locks to his shoulders—who spent twenty-five years translating the Scriptures, deliberately destroyed his notes of the historic drama enacted under his eye. Perhaps the tone of his mind was such as to set him intuitively against that species of historical small talk now so greatly esteemed. He was discreet; he was conscientious, and would not reveal the secrets of a Congress sitting with its head in the lion's mouth. Another man's reputation was as precious to him as his own. "The Confidential Secretary of the Continental Congress"—his epitaph—is no idle alliteration; it is a truth with a deep meaning.

At the moment Thomson "bowed and took his seat," there were in the chamber forty-four members, from

eleven colonies. Two more delegates came in the next day, and finally the number was fifty-five. Peyton Randolph had been chosen to preside, and the commissions of the members had just been read. "As the Presidency of Congress was given to Virginia, so the first memorable event of the session was the impassioned speech by Patrick Henry, reciting the colonial wrongs, the necessity of union and the preservation of the democratic part of the constitution. Applause was general, and a debate followed." Thus summarizes Hosmer, in his "Samuel Adams"; but there are contemporary references to Henry's oratory at the opening of the session. Jefferson says: "Mr. Henry and Richard Henry Lee took at once the lead in that assembly, and by the high style of their eloquence were in the first days of the session looked up to as *primi inter pares.*" The debate followed upon a motion for a committee to prepare regulations. Whether Congress should vote "by colonies, by poll, or by interests" was the chief question. John Adams it is who reports:

"Mr. Henry then arose, and said this was the first General Congress which had ever happened; that no former congress could be a precedent; that we should have occasion for more General Congresses, and therefore that a precedent ought to be established now; that it would be great injustice if a little colony should have the same weight in the councils of America as a great one, and that therefore he was for a committee."

"The above very simple narrative of the action of Mr. Henry upon this occasion," comments Charles Francis Adams, "strangely contrasts with the picture painted by the florid imagination of Mr. Wirt, as also does the abstract of the speech with his idea of it." This critic (who a little later confuses a second-day speech with that of the first) assumes the finality of his grandfather's dry abstract, which is a mere refer-

ence in a running summary. Charles Francis Adams is also manifestly unjust when in another note he says: "This is probably all that has been saved of the celebrated speech of Patrick Henry at the opening of the Congress, which earned for him the national reputation he has ever since enjoyed." It is true that Henry's first speech in Congress was not reported; but it is not true that the speech was the one whereby he gained celebrity. For had not the man's fame been abroad nine years or more? But for Henry, indeed, there might have been no Continental Congress. Now, Thomson lived to be ninety-four. Though he wrote and spoke guardedly, he nevertheless added enough to the Philadelphia annals to confirm the Virginia traditions concerning Henry's eloquence.* He left two descriptions of the scene. Having described his own installation as Secretary, he adds:

"After a short silence, Patrick Henry arose to speak. I did not then know him; he was dressed in a suit of parson's gray, and from his appearance, I took him for a Presbyterian clergyman, used to haranguing the people. He observed that we were here met in a time and on an occasion of great difficulty and distress; that our public circumstances were like those of a man in deep embarrassment and trouble, who had

*Henry Armitt Brown made a particular study of the Continental Congress, examining the Philadelphia traditions concerning it. In his "Oration on the Hundredth Anniversary of Congress," he said of Patrick Henry: "A step in advance of his time, as he had ever been, he went far beyond the spirit of the other delegates, who, with the exception of the Adamses and Gadsden, did not counsel or desire independence. . . . His eloquence was one of the chief forces of the American Revolution—as necessary to that great cause as the intelligence of Franklin, the will of Samuel Adams, the pen of Thomas Jefferson, or the sword of Washington. In such times of a nation's trial there is always one voice that speaks for all. It echoes the spirit of the age. . . . The voice of Patrick Henry was the voice of America struggling for freedom."

called his friends together to devise what was best to be done for his relief;—one would propose one thing, and another a different one, whilst perhaps a third would think of something better suited to his unhappy circumstances, which he would embrace, and think no more of the rejected schemes, with which he would have nothing to do. I thought that this was very good instruction to me, with respect to the taking of the minutes. What Congress adopted, I committed to writing; with what they rejected I had nothing further to do; and even this method led to some squabbles with the members who were desirous of having their speeches and resolutions, however put to rest by the majority, still preserved upon the minutes."

We see why Thomson especially remembered one of the points in Henry's speech; and elsewhere we receive through him another impression concerning it:

"None seemed willing to break the eventful silence, until a grave looking member in a plain dark suit of minister's gray, and unpowdered wig, arose. All became fixed in attention on him.

"'*Conticuere omnes, intentique ora tentbant.*'

"Then he (Thomson) felt a sense of regret that the seeming country parson should so far have mistaken his talents, and the theatre for their display. But as he proceeded, he evinced such unusual force of argument, and such novel and impassioned eloquence, as soon electrified the house. Then the excited inquiry passed from man to man, Who is it? Who is it? The answer from the few who knew him was, It is Patrick Henry!

"'*Ille regit dictis animos et pectora mulcet.*'"

In spite of the intrusive Latin, how like our Patrick of the Virginia forum—this grave orator who made strangers ashamed of him in his halting approach to his subject, and by and by caused them to look at each other and whisper, "Who is it?" Such was his way.

He never sought to storm his auditory, but on great occasions his effects were cumulative—he could electrify and overpower. Richard K. Betts, venerable custodian of the traditions of the Carpenters' Company, says of this speech:

"Patrick Henry slowly rose in a far off part of the hall and hesitatingly broke the silence. He calmly reviewed the wrongs of his country, until warming with his subject, his cheeks glowed, his eye flashed, and his voice, rich and strong, rang through and filled the hall."

There is warrant for assuming that Henry was equally eloquent in his speech of the succeeding day. It was a day of excitement and solemnity. On the strength of a rumor that Boston had been bombarded, muffled bells sounded, and in the streets, as Congress met, the cry "War! war!" was heard. What this meant to the men who knew themselves to be the custodians of the liberties of the people along the whole continental shore, from Nova Scotia to Florida, we can understand even now; for though we are far away from them in point of time, we are near to them in sympathy. They were still considering how the colonies should vote. In the debate, Henry said:

"Government is dissolved. Fleets and armies and the present state of things show that government is dissolved. Where are your landmarks, your boundaries of colonies? We are in a state of nature, sir. I did propose that a scale should be laid down: that part of North America which was once Massachusetts Bay, and that part which was once Virginia, ought to be considered as having a weight. Will not people complain [that] ten thousand Virginians have not outweighed one thousand others? I will submit, however; I am determined to submit, if I am overruled. . . . I hope future ages will quote our proceedings with applause. . . . It is one of the great duties of the democratical part of the constitution to keep itself pure. . . . It is known in my prov-

ince that some other colonies are not so numerous or rich as they are. [But] I am for giving all the satisfaction in my power. The distinctions between Virginians, Pennsylvanians, New Yorkers, and New Englanders are no more. I am not a Virginian, but an American."

Coming to us in such fragmentary and disjointed shape, these jerky passages give only an echo of Henry's speeches. The parts do not dovetail well. All but a few of the words are lost—all save a few of the ideas, yet the results are evident. And, knowing what we do of Henry's character, we may conclude that he was chiefly concerned about results. He would not have been human if he had not sought to sustain his reputation as a good speaker; and he would not have been Henry if he had not endeavored much more earnestly to sustain his reputation as a man of sense. Being a man of sense, he probably saw that it was no time for flaming oratory; that Congress had met to deliberate, to knit together diverse interests, to deal delicately with a complex and most difficult situation, and finally to carry forward a general Revolution affecting the welfare of three millions of people. This "very d—l in politics," this "son of thunder," had no wish to "shake the Senate" simply for the purpose of exhibiting his own oratorical excellence. His wish was that Congress should act so justly and sagaciously as to win the approval of patriots everywhere. "I go upon the supposition that government is at an end," said he. "All distinctions are thrown down. All America is thrown into one mass. We must aim at the minutiæ of rectitude."

By a politic stroke on this same exciting second day, Samuel Adams contrived that religious differences should be sunk; and next morning "Parson" Duché, who turned Tory in the end, appeared in his clerical robes and solemnized the proceedings. "A prayer which

he gave as his own composition," says Adams, "was as pertinent, as affectionate, as sublime, as devout, as I ever heard offered up to Heaven."

Tory marplots, hoping for discord, could not have chosen a surer way of provoking it than by exciting the provincial spirit of the members. Hence the mischief of the question: Should a major colony and a minor colony have an equal voice in the Congress? Henry must have known that he risked much when he cried: "I am not a Virginian, but an American." He knew how that would sound in certain ears at home. He knew that what was being said and done in Philadelphia would be talked over down country, and he knew that the people were slow to ratify dubious proceedings. By the bent of his mind he glanced ahead. He doubtless flashed a look into the future and foresaw other Congresses, other occasions when members would say: "Well, did we not do so and so at our first meeting?" Besides, he disliked to go against his own strong sense of fair play; and there is no question that his mind would have been eased if some more equitable method of voting had been agreed upon. However, he was ready to submit when Congress decided that, for the time being, the vote of each colony should count as "one voice."

The initial difficulty over, Congress set to work methodically, and kept at it for seven weeks. One of the most stirring debates was over the inflammatory resolves adopted by towns in the Massachusetts county of Suffolk and sent South by Paul Revere, riding express. It was practically a war test. No record exists of Henry's part in the debate, but about this time Silas Deane wrote to his wife:

"Mr. Henry . . . is the compleatest speaker I ever heard. If his future speeches are equal to the small samples he has hitherto given us, they will be worth preserving; but in a

letter I can give you no idea of the music of his voice, or the high wrought yet natural elegance of his style and manner. Col. Lee is said to be his rival in eloquence, and in Virginia and to the Southward they are styled the Demosthenes and Cicero of America. God grant they may not, like them, plead in vain for the liberties of their country! These last gentlemen are now in full life, perhaps near fifty, and have made the constitution of Great Britain and America their capital study ever since the late troubles between them have arisen."

Congress voted to stand by Massachusetts, thus taking upon the whole continent the warlike quarrel of a part. "The esteem, the affection, the admiration for the people of Boston and Massachusetts," wrote John Adams to his wife, "and the fixed determination that they should be supported, were enough to melt a heart of stone. I saw the tears gush into the eyes of the old, grave, pacific Quakers of Pennsylvania."

Yet some of the Quakers were exerting themselves to win Congress away from the course it was taking. Stratagems social and stratagems political were practised. "I shall be killed with kindness in this place," wrote Adams. "We go to Congress at nine, and there we stay, most earnestly engaged in debates upon the most abstruse mysteries of state, until three in the afternoon; then we adjourn, and go to dine with some of the nobles of Pennsylvania at four o'clock, and feast upon ten thousand delicacies, and sit drinking Madeira, Claret, and Burgundy till six or seven, and then go home, fatigued to death with business, company, and care." Again he says: "I am wearied to death with the life I lead. The business of the Congress is tedious beyond expression. This assembly is like no other that ever existed. Every man in it is a great man, an orator, a critic, a statesman; and, therefore, every man upon every question must show his oratory, his criticism, and his political abilities."

Nevertheless, Congress got along with a sureness and

rapidity little short of phenomenal. It adopted a Declaration of Rights—the forerunner of the Declaration of Independence; a petition to the King; an address to the people of Canada; and a memorial to the people of British North America. It debated and rejected Galloway's Tory plan for a Colonial Union, with a President-General to be appointed by the King and a Grand Council to be chosen by the thirteen assemblies. But its most important work was to devise and adopt a non-importation, non-consumption, and non-exportation agreement. Henry opposed the setting of too early a date with respect to the latter. "We don't mean to hurt even our rascals, if we have any," said he. "I move that December be inserted instead of November." His opposition to the Galloway scheme brought him into conflict with the notable John Jay, then under thirty—tall, thin, dark-eyed, with aquiline nose and a colorless face lighted up with amiability. Jay wrote the address to the people of Great Britain, and therein attested his skill in statecraft, law, and virile composition; but he took sides against Henry in considering the Galloway plan. Under it, said Henry, "we shall liberate our constituents from a corrupt House of Commons, but throw them into the arms of an American Legislature that may be bribed by that nation which avows, in the face of the world, that bribery is a part of her system of government. Before we are obliged to pay taxes as they do, let us be as free as they are; let us have our trade open with all the world. We are not to consent to be governed by the representatives of representatives."

This Galloway measure was defeated by but one vote. "The action of Congress on it," thinks William Wirt Henry, "constitutes a crisis in the history of America." Had it passed, Galloway, who subsequently—upon receipt of a halter coiled in a box—fled the prov-

ince, would not have returned to Philadelphia, under cover of Sir William Howe's army, and played the renegade among his former neighbors. But at this time, let us remember, only a few men, Henry among them, smelt the taint upon the bland and accomplished Tory politician and pamphleteer. Galloway very nearly smothered the Republic at its birth.

And now we come to a curious matter with respect to Henry and this first Congress. He served on various committees, including that which prepared the address to King George. Why he should have been placed upon this committee is hard to understand, for of all men he was the least likely to utter obsequious sentiments or seek to placate ruffled royalty. The first report made by the committee was sent back because of its "asperity." Some of this "asperity" may have been due to Henry's talk in committee, but the draft of the address is said to have been made by Richard Henry Lee, whose labors in Congress were manifold. About this time Dickinson became a member, and it was he who rewrote the address as adopted. The speculative mind sees many piquant possibilities in this situation. Perhaps some one inimical to Henry wished it to be told among the Virginia democrats that their leader had become so infected by the Proprietary poisons of Pennsylvania as to write to the King in apology for certain remarks uttered in the House of Burgesses. But the most inviting possibility refers to Dickinson. We may assume that Henry—a marked man, as London rumor had it—was unwilling to sink his spirit. Dickinson, on the contrary, was ready and eager to sharpen a fresh quill and address his Majesty with all the elegant genuflections of a refined rhetorician. Who knows but that the sagacious Samuel Adams and the sagacious Patrick Henry were playing politics here? According to Galloway: "While the two parties in Congress remained

thus during three weeks on an equal balance, the republicans were calling to their assistance the aid of their factions without. They were under the management of Samuel Adams. . . . He eats little, drinks little, sleeps little, thinks much, and is most decisive and indefatigable in the pursuit of his objects. It was this man who, by his superior application, managed at once the faction in Congress at Philadelphia and the factions in New England." It was Adams who caused Warren in Boston to push through the Suffolk resolves, and it was he who caused them to be brought to Congress for approval. Viewed in this light, it is allowable to think that Adams and Henry so managed the address to the King as to gain a point for America. They understood how influential Dickinson was; they hoped to win him over, with some of his friends; and they realized that he would be hugely flattered personally if invited by Congress to flatter the King.

Samuel Chase, of Maryland, who is described by Dr. Benjamin Rush as "a bold declaimer with slender reasoning powers," was so affected by the oratory at the opening of the Congress that he walked across the chamber to his colleague's seat and exclaimed: "We might as well go home; we are not able to legislate with these men." Later he amended his remark: "Well, after all, I find these are but men—and, in mere matters of business, very common men." In keeping with this thought was Jefferson's reminiscent echo of it, when he wrote to Wirt that Henry lapsed from his high plane during the session and suffered in repute because of the incident of the address to the King. Now, so long and stormy was Jefferson's own public life, and so varied were his mental activities, that one could not expect his memory to serve him without slips and tricks. That it played him tricks he himself admits. Writing, in his "Autobiography," of another matter, he confesses thus:

"This idea, after a lapse of twenty-six years, had so insinuated itself into my mind that I committed it to paper without the least suspicion of error." Jefferson did not attend the First Congress. His insinuation that Henry's work was inefficient had no warrant in fact. He misled Wirt, who misapprehended the whole matter, and thereupon proceeded to moralize on the evil results of neglecting one's books when one is at school. Poor Patrick is again held up, not exactly as a horrible example, but as the next thing to it.

Chase, for his part, was justified in concluding that a man might be a wretched speaker, yet live to legislate in company with the Virginians. "Lee, Henry, and Hooper are the orators," said Adams; as for the statesmen in the Congress, they were more numerous than Adams would admit when he wrote to his wife: "Fifty gentlemen, meeting together, all strangers, are not acquainted with each other's language, ideas, views, designs. They are therefore jealous of each other—fearful, timid, skittish." We have seen that two of these men—Samuel Adams and Henry—subdued themselves at the start. If they had been shallow characters—if they had been dominated by selfish ambition, each would have contrived to organize a following; each would have sought to rise at the expense of the cause. If they had been smaller men, they would have antagonized each other. So far from this, they became warm friends. It is not allowable to assume outright that there was an understanding between them, but such an assumption would have a better basis than Wirt's assumption that Henry was derelict in committee work, and that he was no writer. As heretofore intimated, one of the best bits of data with respect to Henry is Judge Tucker's telling allusion to his "peculiar smile." We can frequently see it influencing such of his muscles as had to do with his lips, cheeks, and chin. Very often we

think of this sceptical smile, and we think of it now—imagining how it would have been provoked if Henry had lived to read the charge that he had not the gumption or the scholarship to address the King. All the comities and epistolary courtesies were well understood by Henry, and he knew the political requirements of the occasion. Why, therefore, should he have been slack in duty or endeavor—why, indeed, unless, with Sam Adams, he had a purpose? As for composition, Henry was a clear, forceful, and convincing writer. At times there was lack of flexibility; his style was never florid. His letters show a sensible directness. Moreover, an essay of his, touching Virginia economics, is logical, direct, and lucid. That he was a master of style, like Dickinson, or Jay, or Richard Henry Lee, no one would urge; but his ability to write well is beyond doubt.

Throughout the session Henry must have been a busy man. A wide range of knowledge was necessary in developing the resolves and declarations and shaping the course of revolt. Numberless intercolonial and international facts were digested in the committees, and accuracy of statement was attained only through searching inquiry. Henry was on the committee that reported upon British statutes affecting colonial trade—no easy task. It is not pretended that he was better informed than his associates, nor even that he was as well informed as some of them on various points. He was no delver. He had little useless knowledge. There was in Philadelphia at that time one George Bryan—later President of the Supreme Executive Council—who was supposed to know everything. A wag bet that Bryan could name, off-hand, the town-crier of Bergen-op-Zoom. Henry would have been eclipsed by Bryan; nevertheless, he held his own in Congress. Finally, the papers of this body leave one under the impression that they were supervised by a master. Reading the first drafts of

the documents and then the revised declarations and resolves, we seem to see behind the pen that made the erasures and interpolations the figure of an old man, a wise man, a patriotic man, a benign genius. Who was he? There was no such worthy. The wisdom was that conjoint wisdom so generously lauded by Camden and Chatham. To the sum of this wisdom, as the records show, Henry contributed a goodly share.

Since John Adams is still in our foreground, it would seem to be appropriate here to give his matured opinion of Henry, as expressed in a letter to Wirt, in 1818. He wrote: "From personal acquaintance, perhaps I might say a friendship, with Mr. Henry of more than thirty years, and from all that I have heard or read of him, I have always considered him a gentleman of deep reflection, keen sagacity, clear foresight, daring enterprise, inflexible intrepidity, and untainted integrity, with an ardent zeal for the liberties, the honor, and the felicity of his country and his species."

When Henry was asked by a Hanover neighbor whom he esteemed the greatest man in the First Congress, he is said to have replied: "Rutledge, if you speak of eloquence, is by far the greatest orator, but Colonel Washington, who has no pretensions to eloquence, is a man of more solid judgment and information than any man on that floor." It was John, not Edward, Rutledge whom Henry had in mind. Of Edward, the censorious Adams wrote:

"Rutledge is a very uncouth and ungraceful speaker; he shrugs his shoulders, distorts his body, nods and wriggles with his head, and looks about with his eyes from side to side, and speaks through his nose as the Yankees sing." Again: "Young Ned Rutledge is a perfect Bob-o-Lincoln—a swallow, a sparrow, a peacock; excessively vain, excessively weak, and excessively variable and unsteady; jejune, inane, puerile." . . . "His brother John dodges his head, too, rather disagreeably,

and both of them spout out their language in a rough and rapid torrent, but without much force or effect."

Evidently Adams permitted his political dislike of the Rutledges to become a personal matter. Not so Henry, who was at least generous in praising the oratorical qualities of a man with whom he differed on public questions. One of the entries in Adams' "Diary" reads:

"Spent the evening with Mr. Henry at his lodgings, consulting about a petition to the King. Henry said he had no public education; at fifteen he read Virgil and Livy, and had not looked into a Latin book since. His father left him at that age [*sic*], and he has been struggling through life ever since. He has high notions, talks about exalted minds, etc. He has a horrid opinion of Galloway, Jay, and the Rutledges. Their system, he says, would ruin the cause of America. He is very impatient, to see such fellows, and not be at liberty to describe them in their true colors."

Henry is seen over the diarist's shoulder at Judge Willing's, Dr. Cadwalader's, and other houses where they dined: "A most sinful feast again! everything which could delight the eye or allure the taste; curds and creams, jellies, sweetmeats of various sorts, twenty sorts of tarts, fools, trifles, floating islands, whipped sillabubs, etc., etc." Even at a "plain but pretty" Quakeress's, with her thees and thous, "beer, porter, punch, and wine" were to be had. It was a time when a guest was confronted with "a bowl of fine Lemon Punch, big enough to have Swimm'd half a dozen of young geese." Occasionally the feasters were in great parties. In mid-September—the week of the departure of the Royal Irish, moving off towards Boston with tap of drum—Congress was entertained at a banquet in the State House, five hundred gentlemen participating. On the 20th of October, the Assembly gave a

banquet to the delegates, both bodies, to the number of one hundred, sitting down together. This final feast was at the City Tavern. Never had mine host, Daniel Smith, a more glorious company under his roof. His long room was crowded. Adams describes it as "a most elegant entertainment." "A sentiment was given," says he: "'May the sword of the parent never be stained with the blood of her children.' Two or three broad-brims over against me at table said: 'This is not a toast, but a prayer; come, let us join in it!' And they took their glasses accordingly."

But it is time to have done with the good old gossipy diarist, who says he was "avoided like a man infected with the Leprosy" because he favored independence, but who confesses that he "drank punch and ate dried smoked sprats," and consumed oceans of syllabub in conjunction with roast duck.

Once more the members of the First Congress met at the City Tavern—this time to say farewell. It was on the evening of the 26th of October. Thomson, himself a sterling soul, said of them that they were "the purest and ablest patriots he had ever known." "28, Friday," writes the ex-Leper who had been cured with syllabub, "took our departure, in a very great rain, from the happy, the peaceful, the elegant, the hospitable and polite city of Philadelphia."

IX

"WE MUST FIGHT"

HENRY, at thirty-nine, was already nearing the top-notch of his greatness. Still fresh to fame, his powers matured, his zeal under discipline, his popularity unabated, he may now be regarded as at his strongest and best. Whether viewed as a far-seeing statesman, as an orator, or as a patriot, he stands out more admirably at this period of his career than at any other. His political prescience is unquestioned. He was the prophet of Independence long before the Declaration, and at least a year before he deemed its open advocacy politic. On this point, Nathaniel Pope wrote to Wirt:

"I am informed by Colonel John Overton that, before one drop of blood was shed in our contest with Great Britain, he was at Colonel Samuel Overton's in company with Mr. Henry, Colonel Morris, John Hawkins, and Colonel Samuel Overton, when the last mentioned gentleman asked Mr. Henry 'whether he supposed Great Britain would drive her colonies to extremities? And if she should, what he thought would be the issue of the war?' When Mr. Henry, after looking around to see who was present, expressed himself confidentially to the company in the following manner: 'She *will* drive us to extremities—no accommodation *will* take place—hostilities will *soon* commence—and a desperate and bloody touch it will be.' 'But,' said Colonel Samuel Overton, 'do you think, Mr. Henry, that an infant nation, as we are, without discipline, arms, ammunition, ships of war, or money to procure them—do you think it possible, thus circumstanced, to oppose successfully the fleets and armies of Great Britain?' 'I will be candid with you,' replied Mr. Henry. 'I doubt whether we shall be able, *alone,* to cope with so powerful a nation. But,' he continued (rising from his chair, with great animation), 'where is France? Where is Spain? Where is Holland?—the natural enemies of Great

Britain; where will they be all this while? Do you suppose they will stand by, idle and indifferent spectators to the contest? Will Louis the XVI be asleep all this while? Believe me, *no*. When Louis the XVI shall be satisfied by our serious opposition, and our *Declaration of Independence*, that all prospect of reconciliation is gone, then, and not till then, will he furnish us with arms, ammunition, and clothing; and not with these only, but he will send his fleet and armies to fight our battles for us; he will form with us a treaty offensive and defensive against our unnatural mother. Spain and Holland will join the confederation. Our independence will be established, and we shall take our stand among the nations of the earth!' Here he ceased; and Colonel John Overton says at the word 'independence,' the company appeared to be startled; for they had never before heard anything of the kind even suggested."

Pope's statement was accepted in his own day and remains unchallenged to this. Henry knew that he was in advance of most men on the subject of independence, and when in public kept his tongue about it. He was aware that Congress, though doubtful of the issue, was deluding itself in the hope of peace. He himself had no such expectation. He foresaw; and, foreseeing, waited.

"In the Congress of 1774," wrote John Adams, "there was not one member, except Patrick Henry, who appeared to me sensible of the precipice, or rather, the pinnacle on which he stood, and had candor and courage enough to acknowledge it." Again Adams wrote:

"When Congress had finished their business, as they thought, in the autumn of 1774, I had with Mr. Henry, before we took leave of each other, some familiar conversation, in which I expressed a full conviction that our resolves, declarations of rights, enumeration of wrongs, petitions, remonstrances, and addresses, associations and non-importation agreements, however they might be expected by the people in America and however necessary to cement the union of the colonies, would be but waste paper in England. Mr. Henry said

they might make some impression among the people of England, but agreed with me that they would be totally lost upon the Government. I had but just received a short and hasty letter, written to me by Major Joseph Hawley, of Northampton, containing 'a few broken hints,' as he called them, of what he thought was proper to be done, and concluding [Adams should have said "beginning"] with these words: 'After all, we must fight.' This letter I read to Mr. Henry, who listened with great attention; and as soon as I had pronounced the words, 'After all, we must fight,' he raised his head, and with an energy and vehemence that I can never forget broke out with, 'By G—d,' I am of that man's mind.' I put the letter into his hand, and when he had read it, he returned it to me with an equally solemn asseveration, that he agreed entirely in opinion with the writer. . . . The other delegates from Virginia returned to their State, in full confidence that all our grievances could be redressed. The last words that Richard Henry Lee said to me, when we parted, were, 'We shall infallibly carry all our points; you will be completely relieved; all the offensive acts will be repealed; the army and fleet will be recalled, and Britain will give up her foolish project.'

"Washington only was in doubt. In private he joined with those who advocated a non-exportation as well as a non-importation agreement. With both he thought we should prevail; without either he thought it doubtful. Henry was clear in one opinion, Richard Henry Lee in an opposite opinion, and Washington doubted between the two. Henry, however, appeared in the end to be exactly in the right."

This was in October. November found Henry back in Virginia, organizing the local soldiery. No courts were sitting; no Assembly had been called; Dunmore was still on the border, and the colony was in distress. Considering his recent labors, Henry might well have remained a while inactive. Indeed, sky, trees, and sedgy fields were a pleasant sight at "Scotchtown" plantation house in autumn. There was a charm in the view looking north from the stone-flagged porch; and, of a morning, deer could be seen at the edge of the forest. But there was no allurement in these things

for Henry. He could not dismiss the thought of Boston under the lion's paw. "I am an American," he had said, in all solemnity; and that other expression, which meant so much, clung like a mental burr. "We must fight," old Hawley had concluded; and old Hawley knew.

Here before us is a much-thumbed letter, written more than a century ago by Charles Dabney, a Hanover man. who says:

"Soon after Mr. Patrick Henry's return from the First Congress, notice was given through his means to the militia of Hanover, to attend at Mr. Smith's tavern (Merry Oaks) in the neighborhood of Hanover Court-house, where he wished to communicate something to them of great importance. Accordingly a considerable number of the younger part of the militia attended, and he addressed them in a very animated speech, pointing out the necessity of our having recourse to arms in defence of our rights, and recommending in strong terms that we should immediately form ourselves into a volunteer company."

By "strong terms" we take it that Henry put a lively interpretation upon the words of Congress, which body had admonished the people to be "in all respects prepared for every emergency." At any rate, the Independent Company of Hanover was formed at Merry Oaks, and about the same time the County Committee, which was to execute the plans of Congress, came into being. Such committees were organized in the other counties of Virginia; but it is not true that soldiers were enlisted in all of them, as Dunmore asserted at Christmas, and as Rives repeated when he took Wirt to task for overstating the apathetic conditions prevailing in the colony prior to Henry's tremendous outburst in St. John's Church, on the 23d of March, 1775. Wirt felt that he held a brief for Henry; he had but lately permitted Jefferson's shadow to fall upon his pages; and the

truth is that he did lay too much stress upon the difficulties of his hero, thereby magnifying the achievement in St. John's. But it was rhetorical stress purely. A microscopic study of the records demonstrates Virginia's unarmed condition at that time. In not more than seven counties had minute-men been enrolled. This whole fall and winter the Revolution hung fire. Not that the Sons of Liberty were idle. Not that advanced Whigs anywhere had ceased to feel concern. Certainly not that there was lack of preparation in New England, in the Middle Colonies, and in the Carolinas. Peter Force, in his "American Archives," produces pages of evidence that the people were wide awake. He presents hundreds of letters, addresses, memorials, handbills, reports of meetings, pledges, recantations, and patriotic resolves—colony, county, and town. In a small way, there were "many hot and furious proceedings." In lieu of actual government, the people managed affairs. It was the reign of the Committee. But the fact remains that most men did not expect the "desperate and bloody touch" foretold by Henry. They had freighted with their hopes the ship that sailed with what we may now call the ultimatum of Congress. All sentiment aside, they could not think it possible that a rational people like the English would permit the destruction of a vast trade, and so they did not believe that the worst would come to the worst. If they had known what was happening over-sea, they would have disillusionized themselves most precipitately. But they did not know. By order of the House of Commons, Tom Paine's hated "Crisis" had been "burnt by the common hangman" at the Royal Exchange, but of this and similar incidents they were ignorant. They were unaware of the King's uncompromising words in Cabinet Council on the 12th of January; of Chatham's efforts in their behalf on the

20th; and of Burke's glorious plea on the 22d of March. Master alike of argument and eloquence, Burke fought the enemies of America point by point, hour after hour, as if his own life were at stake in the combat, and he went down only because they overwhelmed him with numbers. To every argument, their answer was like that of the man in Lord Camden's parallel: "Sir, here is my sword!"

There is a subject for some poet in the fact that Henry's greatest oration, on the 23d of March, was almost simultaneous in its delivery with that of Burke. Three thousand miles apart, one genius ceased but a few hours before the other began. Their theme was the same. If it be that their voices sounded aloft where Destiny sits, how plain must it have appeared in high quarters that a crisis had come upon the world, marking an extraordinary turn, an upheaval, the incoming of an era fruitful of change, not in one land alone, but in many lands.

Uninformed as they were with respect to British developments since Christmas, the members of the Second Revolutionary Convention of Virginia met in Richmond on the 20th of March. Henry and Syme represented the freeholders of Hanover. All told, sixty-one counties and three corporations sent delegates, who numbered one hundred and twenty. Each of these men was in some degree committed to the patriot cause. But many were of the opinion that there would be no war. They had been lulled into a feeling of security by the latest London news item, which read: "The buzz at Court is that all the acts will be repealed, except the Admiralty and Declaratory, and that North and Dartmouth will be replaced by Gower and Hillsborough." The Convention sat for seven days. It approved of what Congress had done; thanked the Virginia deputies; reappointed them; took

steps to curb the royal power in the matter of colony land, and transacted other public business.

But the great event of the week had to do with the arming of the colony. Consideration of this prime and significant matter was precipitated on Thursday, the 23d, by Henry and Lee, who resented, or affected to resent, an adulatory phrase in a proposed resolution of thanks to the Assembly of the Island of Jamaica. The Jamaica Assembly, sympathizing with the Americans, had sent an address to the King; and, in the resolution of thanks to the West Indians, it was said that the Virginians ardently wished to see "a speedy return to those halcyon days when we lived a happy people."

Here was Henry's opportunity. At once he arose, and offered an amendment to the Jamaica resolutions in the following words:

"*Resolved,* That a well-regulated militia, composed of gentlemen and yeomen, is the natural strength and only security of a free government; that such a militia in this colony would forever render it unnecessary for the mother country to keep among us, for the purpose of our defence, any standing army of mercenary forces, always subversive of the quiet and dangerous to the liberties of the people, and would obviate the necessity of taxing us for their support.

"*Resolved,* That the establishment of such a militia is at this time peculiarly necessary, by the state of our laws for the protection and defence of the country, some of which have already expired, and others will shortly do so; and that the known remissness of the Government in calling us together in a legislative capacity renders it too insecure, in this time of danger and distress, to rely that opportunity will be given of renewing them in general assembly, or making any provision to secure our inestimable rights and liberties from those further violations with which they are threatened.

"*Resolved, therefore,* That this colony be immediately put into a posture of defence; and that . . . be a committee to prepare a plan for embodying, arming, and disciplining such a number of men as may be sufficient for that purpose."

Now, the sting of this excellent scorpion was in its tail. No one could be deeply moved by the ironical and argumentative first resolution. Indeed, while it was being read, many members must have recognized it as a paraphrase of the chief of fourteen patriotic resolves adopted at Annapolis on the 8th of December preceding. Had not Washington copied it for use at the Fairfax County Convention? Nor was there much to cavil at in Henry's second resolve. But the third, as it seems to us, pointed straight towards war.

Moses Coit Tyler does not think that the resolutions in themselves were sufficiently warlike to provoke such opposition as that which followed. We are told by Judge St. George Tucker that there was "an animated debate, in which Colonel Richard Bland, Mr. Nicholas, the treasurer, and I think Colonel Harrison, of Berkeley, and Mr. Pendleton, were opposed to the resolution, as conceiving it to be premature." In this "cluster of names," Dr. Tyler shrewdly—perhaps too shrewdly—finds "some clew to the secret of their opposition. It was an opposition to Patrick Henry himself, and as far as possible to any measure of which he should be the leading champion." Pendleton was in rivalry with Henry, and there were other men in St. John's that day who would have profited personally by his discomfiture. However, when all is said on this score, it remains but a bit of plausible speculation.

Somewhat speculative, too, is Dr. Tyler's further suggestion that Henry probably interpreted the resolutions when he offered them. "What," he asks, "was that interpretation? In the true answer to that question, no doubt, lies the secret of the resistance which his motion encountered. For, down to that day, no public body in America, and no public man, had openly spoken of war with Great Britain in any more decisive way than as a thing highly probable,

indeed, but not inevitable. Others had said, 'The war must come, and will come—unless certain things are done.' Patrick Henry, brushing away every prefix or suffix of uncertainty, every half-despairing 'if,' every fragile and pathetic 'unless,' exclaimed, in the hearing of all men: 'Why talk of things being now done which can avert the war? Such things will not be done. The war is coming: it has come already.' Accordingly, other conventions in the colonies, in adopting similar resolutions, had merely announced the probability of war. Patrick Henry would have this convention, by adopting his resolutions, virtually declare war itself. In this alone, it is apparent, consisted the real priority and offensiveness of Patrick Henry's position as a revolutionary statesman on the 23d of March, 1775. In this alone were his resolutions 'premature.' . . . Patrick Henry demanded of the people of Virginia that they should treat all further talk of peace as mere prattle; that they should seize the actual situation by a bold grasp of it in front; that, looking upon the war as a fact, they should instantly proceed to get ready for it. And therein, once more, in revolutionary ideas, was Patrick Henry one full step in advance of his contemporaries. Therein, once more, did he justify the reluctant praise of Jefferson, who was a member of that convention, and who, nearly fifty years afterwards, said concerning Patrick Henry to a great statesman from Massachusetts: 'After all, it must be allowed that he was our leader in the measures of the Revolution in Virginia, and in that respect more is due to him than to any other person. . . . He left us all far behind.'"

One cannot but endorse Dr. Tyler's accurate and admirable survey of Henry's attitude, whatever one may think of his prior assumption that Virginia was awake before Henry awoke her. Admitted that Wirt

somewhat overstates the dubiety, the unreadiness, and the obstructive spirit of the "peace party," Dr. Tyler as certainly understates that party's antagonism to the resolutions. Wirt uses the art of contrast; Tyler argues; and neither of them does justice to the scene in St. John's. In fine, it is impossible to do justice to it. With respect to the opposition, it is true that Washington was not temporizing; it is true that Richard Henry Lee was no longer temporizing; but it is equally true that many able, earnest, and steadfast Virginians had permitted themselves to become downright temporizers. War almost invariably comes as a surprise—a shock. People believe in it only when they hear the roar. Virginia, as her guardians well knew, was unprepared for war. But why talk of enrolments, musters, cannon, rifles, cartouch-boxes, and saltpetre? Spring was at hand; shad were running in the rivers, and lo! yonder upon the sea were London sails—no doubt bringing news of reconciliation.

As for a preliminary speech by Henry, he may or may not have made one. He did not need to make it. No man was a better actor. By his very manner of offering the resolutions—by his tone, by his emphasis, by his look, he could have said: "After all, we must fight!" His challenge to the "peace party" may have been expressed in so slight a thing as a bow, a gesture. Pendleton, Bland, Nicholas, and all his opponents knew him and knew his ways. His friends and followers understood him. They needed no words from him to comprehend that he was up in arms.

On that day, fortunately for us, Judge John Tyler, Judge St. George Tucker, and John Roane were within hearing of Henry when he spoke in behalf of his resolutions. We say "fortunately," since otherwise Wirt's account of the speech might be deemed apocryphal. Wirt himself intimated that Burk's summary of the

Stamp Act speech was "apocryphal"; and it would be doubly distressing if we should be obliged to accept the amiable Grigsby's opinion that much of Wirt's version of the speech in St. John's was out of Wirt's own head. But Grigsby was hardly right in this particular matter. Though Wirt did not give his source as to the text of the speech, here is a supporting chain for him made up of good sound links:

First, we know that Nathaniel Pope wrote to Wirt: "You have already received. in detail the celebrated speech delivered in the convention held in the church in Richmond, in 1775, in favor of taking up arms against Great Britain." Next, we know that John Roane verified for Edward Fontaine, in 1834, "the correctness of the speech as it was written by Judge Tyler for Mr. Wirt." Therefore, since Judge Tyler was one of Wirt's authorities and Judge Tucker another, we need not be concerned as to the authenticity of Wirt's report. Two more reliable men than Tucker and Tyler it would be hard to name.

Thus far, in our approach to the hour when Henry made his master-stroke in oratory, we have been clearing the way for ourselves. Even now there is something else to be done, for we ought to come closer to the old parish church of St. John's, and take such a look at it that it will be real to us. If we see the tree where the mocking-bird sits, we can better hear the song. The church was less famous than certain other colonial churches, and it was less beautiful. It was beautiful only in its situation. It stood then, and stands now, on the top of Richmond Hill, whence to the west there was a clear prospect of a town of scattered houses, dotting other hills, and to the south the river James running between high banks over a rocky bottom, visible even afar in the sun-sparkle upon the rapids. The building was, and is, a frame structure, well set in a

grassy and embowered yard. In Henry's time there was a clump of cedars near the west end of the church —at the spot where George Wythe's unmarked grave rebukes the millions who profit by his genius and especially by his tutelage of the Expounder of the Constitution. Young Marshall was not in the throng of "buckskins" and gentry in scarlet on the hill that day, but his father was; and there passed in through the doorway, then on the south side, Washington, Jefferson, the Lees, and such lesser celebrities as Peter Muhlenberg, who, in a Valley pulpit, was soon to stand forth a soldier, like a soldier clad. In the pulpit of St. John's at this moment sat Peyton Randolph, President of the Convention. The delegates faced him, looking east, Henry being in the third pew on the north side. With its flat ceiling, the long and narrow auditorium had no especial acoustic excellences. There was an end gallery for spectators, but only seating space in the body of the church for the six-score delegates. Yet, since by and by people would cling to the window ledges looking in, we may assume that aisles and doorway likewise were crowded. And as the windows were wide open, it may be further assumed that there was fine weather abroad—a late March benefaction of southerly breezes and sunshine, tipping with red the churchyard maples and awakening a fresh and responsive spirit in man.

Richard Henry Lee seconded the resolutions. Soon Henry spoke. Now, it is a fact that Henry's best phrases were minted in a heat generated by his own mental frictions. Usually a preliminary travail marked the struggle of his spirit to express itself. First, his own fire had to be kindled within him; and when this was done, the right thoughts, the right words, the right gestures, came of themselves—all in harmony, all in obedience to his will, which was now the absolute

master of theme, of voice, of manner, of audience. On this occasion there was little, if any, effort at the start. No doubt he was keyed to his best endeavor. He must have wrestled with himself before he entered the church. Perhaps he had thought for many days and nights upon the step he was about to take. "My heart was hot within me, and while I was thus musing the fire kindled, and at the last I spake with my tongue." Here is what he said:

"No man, Mr. President, thinks more highly than I do of the patriotism, as well as the abilities, of the very honorable gentlemen who have just addressed the House. But different men often see the same subject in different lights; and, therefore, I hope it will not be thought disrespectful to those gentlemen if, entertaining as I do, opinions of a character opposite to theirs, I should speak forth my sentiments freely and without reserve. This is no time for ceremony. The question before the House is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject ought to be the freedom of the debate. It is only in this way that we can hope to arrive at truth, and fulfil the great responsibility which we owe to God and our country. Should I keep back my opinions at such a time, through fear of giving offence, I should consider myself as guilty of treason towards my country, and of an act of disloyalty toward the majesty of heaven, which I revere above all earthly kings.

"Mr. President, it is natural to man to indulge in the illusions of hope. We are apt to shut our eyes against a painful truth, and listen to the song of that syren, till she transforms us into beasts. Is this the part of wise men engaged in a great and arduous struggle for liberty? Are we disposed to be of the number of those who, having eyes, see not, and having ears, hear not the things which so nearly concern their temporal salvation? For my part, whatever anguish of spirit it may cost, I am willing to know the whole truth; to know the worst, and provide for it.

"I have but one lamp by which my feet are guided; and that is the lamp of experience. I know of no way of judging of the future but by the past. And judging by the past, I wish to know what there has been in the conduct of the British

Ministry, for the last ten years, to justify those hopes with which gentlemen have been pleased to solace themselves and the House. Is it that insidious smile with which our petition has been lately received? Trust it not, sir; it will prove a snare to your feet. Suffer not yourselves to be betrayed with a kiss. Ask yourselves how this gracious reception of our petition comports with those warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled that force must be called in to win back love? Let us not deceive ourselves, sir. These are the implements of war and subjugation—the last arguments to which kings resort. I ask gentlemen, sir, what means this martial array, if its purpose be not to force us to submission? Can gentlemen assign any other possible motive for it? Has Great Britain any enemy, in this quarter of the world, to call for all this accumulation of navies and armies? No, sir, she has none. They are meant for us; they can be meant for no other. They are sent over to bind and rivet upon us those chains which the British Ministry have been so long forging. And what have we to oppose to them? Shall we try argument? Sir, we have been trying that for the last ten years. Have we anything new to offer upon the subject? Nothing. We have held the subject up in every light of which it is capable; but it has been all in vain. Shall we resort to entreaty and humble supplication? What terms shall we find which have not been already exhausted? Let us not, I beseech you, sir, deceive ourselves longer. Sir, we have done everything that could be done to avert the storm which is now coming on. We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hands of the Ministry and Parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned, with contempt, from the foot of the throne. In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free; if we mean to preserve inviolate those inestimable privileges for which we have been so long contending; if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon until the glorious object of our contest shall be obtained—we must

THOMAS CRAWFORD'S "PATRICK HENRY"

(One of five bronze figures surrounding the Washington group in the Capitol Grounds at Richmond.)

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fight! I repeat it, sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us!

"They tell us, sir, that we are weak—unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week, or the next year? Will it be when we are totally disarmed, and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance by lying supinely on our backs, and hugging the delusive phantom of hope, until our enemies shall have bound us hand and foot? Sir, we are not weak, if we make a proper use of those means which the God of nature hath placed in our power. Three millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible to any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat but in submission and slavery. Our chains are forged. Their clanking may be heard on the plains of Boston. The war is inevitable. And let it come! I repeat it, sir; let it come!

"It is in vain, sir, to extenuate the matter. Gentlemen may cry peace, peace—but there is no peace. The war is actually begun! The next gale that sweeps from the north will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we idle here? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me liberty, or give me death!"

No applause followed. For some seconds there was silence. Henry's former opponents were dumb; and they were without the wish to be otherwise than dumb. He had made every one present feel as he felt, and that feeling was of the most solemn nature. Moses Coit Tyler, usually so just and careful, speaks of Patrick

Henry's "individual declaration of war," but the delegates did not so regard it. Francis Scott Oliver, in his "Alexander Hamilton," mentions "the heroics of Henry"; but those in St. John's Church who permitted themselves to be swayed in a life-or-death matter were undoubtedly men of sound sense, altogether immune to fustian. Of course, a perfervid utterance, made under stress, is apt to suffer in commonplace times, especially when it becomes as hackneyed as the final phrase in Henry's speech. For more than a hundred years the humorists have played upon this phrase.

It may be said, too, that one who now reads the speech fails to find it provocative of expected thrills. Some of the passages certainly sing in the mind—such, for example, as the beautiful interrogation: "Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery?" It is a bit of melody as from an old fife at Lexington; it is simple; it is strong; it compacts in a few Saxon words the whole story of the Revolutionary struggle.

But in our search for the secret of his impressiveness we are not to turn the light upon Patrick Henry's printed words alone. When the orations of Demosthenes are read, they also fail to evoke their due of admiration. All effective oratory, as this ancient worthy tells us, depends upon "action, action, action"; and it was because the orator in St. John's put himself, body and soul, into his part that he struck home—solemnized the hour, made his hearers exultant, grim, firmly resolved at last.*

Judge St. George Tucker admits that now for the first time he felt "a full impression of Mr. Henry's powers. In vain," he adds, "should I attempt to give

* The resolutions having been adopted, a Committee of twelve was appointed. Patrick Henry headed it. Washington and Jefferson were members of this Committee.

you an idea of his speech. . . . Imagine to yourself this speech delivered with all the calm dignity of Cato of Utica; imagine to yourself the Roman Senate assembled in the Capitol when it was entered by the profane Gauls, who at first were awed by their presence as if they had entered an assembly of the gods. Imagine that you had heard that Cato addressing such a Senate. Imagine that you saw the handwriting on the wall of Belshazzar's palace. Imagine that you had heard a voice as from heaven uttering the words, '*We must fight,*' as the doom of Fate, and you may have some idea of the speaker, the assembly to whom he addressed himself, and the auditory, of which I was one."

Another listener, a Baptist clergyman, is thus quoted in Henry Stephens Randall's "Life of Jefferson":

"Henry arose with an unearthly fire burning in his eye. He commenced somewhat calmly—but the smothered excitement began to play more and more upon his features, and thrill in the tones of his voice. The tendons of his neck stood out white and rigid like whipcords. His voice rose louder and louder, until the walls of the building and all within them seemed to shake and rock in its tremendous vibrations. Finally his pale face and glaring eyes became terrible to look upon. Men leaned forward in their seats with their heads strained forward, their faces pale and their eyes glaring like the speaker's. His last exclamation—'Give me liberty, or give me death'—was like the shout of the leader who turns back the rout of battle. When he sat down, I felt sick with excitement. Every eye yet gazed entranced on Henry. It seemed as if a word from him would have led to any wild explosion of violence. Men looked beside themselves."

John Roane's account of the scene, as preserved in manuscript in the library of Cornell University, is rich in details. Roane told the story to Edward Fontaine, premising it with the remark that Henry's "voice, countenance, and gestures gave an irresistible force to his words, which no description could make intelli-

gible to one who had never seen him, nor heard him speak." Roane then said:

"You remember, sir, the conclusion of the speech, so often declaimed in various ways by school-boys—'Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me liberty, or give me death!' He gave each of these words a meaning which is not conveyed by the reading or delivery of them in the ordinary way. When he said, 'Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery?' he stood in the attitude of a condemned galley slave, loaded with fetters, awaiting his doom. His form was bowed; his wrists were crossed; his manacles were almost visible, as he stood like an embodiment of helplessness and agony. After a solemn pause, he raised his eyes and chained hands toward heaven, and prayed, in words and tones which thrilled every heart, 'Forbid it, Almighty God!' He then turned toward the timid loyalists of the House, who were quaking with terror at the idea of the consequences of partaking in proceedings which would be visited with the penalties of treason by the British crown, and he slowly bent his form yet nearer to the earth, and said, 'I know not what course others may take,' and he accompanied the words with his hands still crossed, while he seemed to be weighed down with additional chains. The man appeared transformed into an oppressed, heart-broken, and hopeless felon. After remaining in this posture of humiliation long enough to impress the imagination with the condition of the colony under the iron heel of military despotism, he arose proudly, and exclaimed, 'but as for me'—and the words hissed through his clenched teeth, while his body was thrown back, and every muscle and tendon was strained against the fetters which bound him, and with his countenance distorted by agony and rage he looked for a moment like Laocoon in a death struggle with coiling serpents; then the loud, clear, triumphant tones, 'give me liberty,' electrified the assembly. It was not a prayer, but a stern demand, which would submit to no refusal or delay. The sound of his voice, as he spoke these memorable words, was like that of a Spartan pæan on the field of Platæa; and, as each syllable of the word 'liberty' echoed through the building, his fetters were shivered; his arms were hurled apart; and the links of his chains were scattered to the winds. When he spoke the word 'liberty,' with an emphasis never given it

before, his hands were open, and his arms elevated and extended; his countenance was radiant; he stood erect and defiant; while the sound of his voice and the sublimity of his attitude made him appear a magnificent incarnation of Freedom, and expressed all that can be acquired or enjoyed by nations and individuals invincible and free. After a momentary pause, only long enough to permit the word 'liberty' to cease, he let his left hand fall powerless to his side, and clenched his right hand firmly, as if holding a dagger with the point aimed at his breast. He stood like a Roman Senator defying Cæsar, while the unconquerable spirit of Cato of Utica flashed from every feature; and he closed the grand appeal with the solemn words 'or give me death!' which sounded with the awful cadence of a hero's dirge, fearless of death and victorious in death; and he suited the action to the word by a blow upon the left breast with the right hand which seemed to drive the dagger to the patriot's heart."

So precise is this description that no one need find it hard to reconstruct the orator, put him on his feet in the third pew of St. John's, and hear him fill the space between the four walls with transcending eloquence. John Roane, indeed, gives us the very shadow of a shade and traces each effect to its vanishing point; yet, even in his particularity, he leaves something untold. Hence there is room for Edmund Randolph's account of the scene. Says Randolph:

"The fangs of European criticism might be challenged to spread themselves against the eloquence of that awful day. It was a proud one to a Virginian, feeling and acting with his country. Demosthenes invigorated the timid, and Cicero charmed the backward. The multitude, many of whom had travelled to the Convention from a distance, could not suppress their emotion. Henry was his pure self. Those who had toiled in the artifices of scholastic rhetoric were involuntarily driven to an inquiry within themselves, whether rules and forms and niceties of elocution would not have choked his native fire. It blazed so as to warm the coldest heart. In the sacred place of meeting, the church, the imagination had no difficulty to conceive, when he launched forth in solemn tones various causes of scruples against oppressors, that the British

King was lying prostrate from the thunder of heaven. Henry was thought in his attitude to resemble St. Paul, while preaching at Athens, and to speak as a man was never known to speak before. After every illusion had vanished, a prodigy yet remained. It was Patrick Henry, born in obscurity, poor, and without the advantage of literature, rousing the genius of his country, and binding a band of patriots together to hurl defiance at the tyranny of so formidable a nation as Great Britain. This enchantment was spontaneous obedience to the working of the soul. When he uttered what commanded respect for himself, he solicited no admiring look from those who surrounded him. If he had, he must have been abashed by meeting every eye fixed upon him. He paused, but he paused full of some rising eruption of eloquence. When he sat down, his sounds vibrated so loudly, if not in the ears, at least in the memory of his audience, that no other member, not even his friend who was to second him, was yet adventurous enough to interfere with that voice which had so recently subdued and captivated. After a few minutes, Richard Henry Lee fanned and refreshed with a gale of pleasure; but the vessel of the Revolution was still under the impulse of the tempest which Henry had created. If elegance had been personified, the person of Lee would have been chosen. But Henry trampled upon rules, and yet triumphed, at this time perhaps beyond his own expectation.* Jefferson was not silent. He

* Ben Jonson's estimate of Lord Bacon as an orator comes to mind in reading the various opinions of Patrick Henry's oratory: "There happened in my time one noble speaker who was full of gravity in his speaking. No man ever spoke more neatly, more pressly, more weightily, or suffered less emptiness, less idleness in what he uttered. No member of his speech but consisted of its own graces. His hearers could not cough or look aside from him without loss. He commanded where he spoke, and had his judges angry and pleased at his devotion. The fear of every man that heard him was that he should make an end." Speaking of Patrick Henry, David S. G. Cabell says: "History does not record any example of a greater natural orator. He was not an orator as a result of a long and elaborate course of preparation. The loftiness of his nature, his strong emotions, his possession in himself of everything noble and true more than supplied the rhetorician's art. . . . The same embarrassment at the beginning of his speeches and the speedy recovery of self-possession has been

argued closely, profoundly, and warmly on the same side. The post in this Revolutionary debate belonging to him was that at which the theories of republicanism were deposited. Washington was prominent, though silent. His looks bespoke a mind absorbed in meditation on his country's fate; but a positive concert between him and Henry could not more effectually have exhibited him to view than when Henry with indignation ridiculed the idea of peace 'when there was no peace,' and enlarged on the duty of preparing for war.*

"The generous and noble-minded Thomas Nelson, who now for the first time took a more than common part in a great discussion, convulsed the moderate by an ardent exclamation, in which he called God to witness that if any British troops should be landed within the county of which he was the lieutenant, he would wait for no orders and would obey none which would forbid him to summon his militia and repel the invaders at the water's edge. His temper, though it was sanguine, and had been manifested in less scenes of opposition, seemed to be more than ordinarily excited. His example told those who were happy in ease and wealth that to shrink was dishonorable."

This same Thomas Nelson became a power as a

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related of two other great orators, Cicero and Henry Grattan. Patrick Henry had great extempore power, and was never disconcerted by interruptions. His replies, when interrupted, made on the spur of the moment, were always the most effective portions of his speech. His dauntless spirit and his extemporaneous power enabled him to rise to the demands of every occasion. . . . His language was simple, clear, and strong; not unlike that of the New Testament. He had a fine fancy, and indulged not unfrequently in figures of speech. He was a great word painter. He mirrored nature and was indeed the Shakespeare of orators. His oratory was of the style of Mirabeau and Chatham, rather than that of Cicero and Burke."

* It would be interesting, in high degree, if we could follow Washington's thoughts as Henry spoke; and it would be of value to us if we could measure the orator's influence in strengthening the spirit of the soldier who was to accept the chief burden of the war. But, though Washington left journals, he left no "*journal intime*." He was not a self-analyst. We have no subjective Washington indeed.

patriot. Once he gave $200,000 to the cause, and again he supplied a thousand horses. Another of Henry's listeners, Mann Page, fed Washington's whole army for a week from his own plantation. Still another, Colonel Edward Carrington, lives in picturesque story less by reason of his own high valor than because of his connection with the scene at St. John's. Having perched himself in one of the east windows, he heard Henry from first to last. When he sprang down, he cried, with emotion: "Let me be buried at this spot!" In the year 1810 his comrades of the Revolution cut the turf beneath this east window, and Carrington's tomb now marks the place where he consecrated himself to the great cause.

X

AS A SOLDIER—A SET-BACK

Six weeks after his burst of eloquence on Richmond Hill, Henry made another patriotic speech—this time to men in hunting shirts, with arms in their hands. "Our first overt act of war," says Jefferson, "was Mr. Henry's embodying a force of militia from several counties, regularly armed and organized, marching them in military array, and making reprisal on the King's treasury at the seat of government for the public powder taken away by the Governor."

Apparently it was a part of the British plan to smother rebellion by shutting off warlike supplies from abroad, and by seizing those already in the colonies. Apparently, also, Gage in Massachusetts and Dunmore in Virginia were acting in concert. On the 18th of April, Gage sent out troops from Boston to destroy the military stores at Concord; and, in stirring sequence, on the 19th occurred the battle of Lexington. A long way south, next day, was another happening. For on Thursday, the 20th, a body of marines under Captain Henry Collins furtively left the armed schooner "Magdalen," at Burwell's Ferry on the James; marched by night to Williamsburg; entered Spotswood's quaint old eight-sided brick Powder Horn, with a roof as conical as an Irishman's hat; loaded fifteen half-barrels of gunpowder into Lord Dunmore's wagon, and made off towards their vessel, which they reached by daybreak. When the sun came up, that same Friday morning, there was an explosion—not of the raped gunpowder, but of popular wrath. The people of Williamsburg gathered on the green, threatening the "palace."

Indoors sat Dunmore, ill at ease. To his Council, he feigned that he had heard rumors of a slave-rising; therefore he had felt bound to secure the gunpowder. One of the Council, John Page, of Rosewell, took sides with the populace, which caused Dunmore to smash his fist down on the table, crying: "Mr. Page, I am astonished at you!" This was the Page who later stripped the Rosewell window-panes of lead, to be made into bullets. But all was not talk in Williamsburg that morning, for some of the citizens armed themselves, while others saddled their horses and rode courier with the news. "The alternative was: pay for the powder or fight for it." Meantime, Peyton Randolph, Robert Carter Nicholas, and other peacemakers drew from Dunmore a promise that the gunpowder, if needed, should be brought back to the Horn. But next day Dunmore sent word that in case the people dared insult his secretary, Foy, or Collins of the "Magdalen," "he would declare freedom to the slaves and lay the town in ashes." If he had been in his senses, Dunmore would hardly have made so reckless a threat, even to the savage Shawanese, at whose council-fires he had lately sat. John Connolly, the Virginia antithesis of Patrick Henry, testifies that his lordship went four hundred miles on foot during his progress along the border. Connolly himself, as Dunmore's agent, travelled four thousand miles to arrange that the tomahawk should reach the back-door of the Americans just in the nick of the coming of the British bayonet at the front-door. Perhaps this barbarous matter was upon his lordship's mind, unsteadying it, so that when driven to make threats he threatened foolishly. But whether troubled in conscience or by cowardice, Dunmore from this time on played the part of a weakling.

Two sets of couriers were now well out from Williamsburg—those whose business it was to serve as

trumpets of rebellion, and those who followed with reassuring intelligence. By reason of the activity of the first, a genuine war-scare ran through the counties all the way to the Blue Ridge. A chief rendezvous was Fredericksburg, and by the 27th of April fourteen companies of light horsemen had assembled there. More than a hundred of these fledgling troopers met in council. They sent to Mount Vernon to get Washington's advice, and perhaps the whole force would eventually have ridden down on Dunmore had not Peyton Randolph sent them word that the tumult was over. Thus, in the first phase of the gunpowder episode, we have the essentials of a robust comedy. Nor could there be a finer ghost for an accompanying moonlight tableau in front of the old octagonal Powder Horn than that of its builder, Alexander Spotswood, who, at the battle of Blenheim, was hit in the ribs by a cannon-ball, but lived to identify himself with colonial Virginia. So we who lightly review the Dunmore episode may be excused for thinking; but in reality the times were tragic, and all hearts were troubled with more than common trouble. On the last Saturday of this very month of which we have been telling, the *Virginia Gazette* issued a special sheet, giving its first account of the battle of Lexington. Henry must have heard the Lexington news about the time he learned with chagrin of the dispersal of the light horsemen at Fredericksburg. He was at his "Scotchtown" home, preparing to ride towards Philadelphia, where the Second Congress was to sit on the 10th of May. Instead of riding North, he rode South. Accounts by no means agree as to his first impulses, calculations, and movements; but the accepted story is that he deliberately set about the business of taking Dunmore by the throat. According to Wirt, he made up his mind that "a blow must be struck at once before an overwhelming force should enter the colony"; that

the " habitual deference and subjection which the people were accustomed to feel towards the Governor, as the representative of royalty, and which bound their spirits in a kind of torpid spell, should be dissolved and dissipated; that the military resources of the country should be developed; that the people might see and feel their strength by being brought out together "; in a word, that the Revolution should be begun in Virginia as well as in New England. Moses Coit Tyler thinks that the barren muster of light horsemen at Fredericksburg was a sore disappointment to Henry; " his soul took fire at the lamentable mistake which he thought they had made." William Wirt Henry cannot but feel that it was the Lexington news which stirred him to immediate action. To Colonel Richard Morris and Captain George Dabney, Hanover committeemen, Henry declared that the gunpowder outrage at Williamsburg was a " fortunate circumstance " for the patriots. It would arouse the people from North to South. Said he: " You may in vain mention to them the duties on tea, and so on. These things, they will say, do not affect them. But tell them of the robbery of the magazine, and that the next step will be to disarm them, and they will be then ready to fly to arms to defend themselves."

As ardent as Henry himself were many of the Hanover farmers, and they shared his belief that the moment was opportune. So it was agreed to act at once. Express riders were sent hot-foot to beat up the volunteers, New Castle being the rendezvous and the 2d of May the day of meeting.

Now, as no soldier in Henry's gunpowder army tells us about this old town, it may be well to borrow a few lines from the diary of William Feltman, one of Wayne's lieutenants, who campaigned here later in the war. " This day " (August 18), writes Feltman, " Lieut. Collier and self took a walk to New Castle; spent the after-

noon in playing billiards. The town is situated on a fine plain; there are but a small number of houses; the town is built very irregular. . . . There are a few very elegant buildings. A few of us bucks remained in town all night at the onery; got very merry. As for watermelons, this county is full of them." But the watermelon vines of Hanover had not begun to run when the minute-men of the two parishes hurried to New Castle in obedience to Henry's summons. Enrolled the fall before, it is doubtful whether they were as yet fully organized. They gathered around Henry, and the speech he made them was to this effect: Who now could fail to see the British plan? It was first to get the powder and the guns. They had tried it in the North; had failed; precious blood had been spilt at Lexington. They had tried it in the South—should they be permitted to succeed? The plunder of the magazine at Williamsburg was an act in pursuance of the general scheme of subjugation—a flagrant outrage upon the people of Virginia. The moment had come to say whether they chose to live as freemen and hand down this inheritance to their children, or to be hewers of wood and drawers of water to these lordlings who were themselves the tools of a corrupt and tyrannical ministry. He painted the land as it would be under the threatened vassalage, sparing no words; then he drew a picture of America as it should be, and would be, if by their valor, with God as their guide, they should strike, and strike again, and still strike, till at last their liberties were established. No time was to be lost. As yet their enemies were few in number. Now, if ever, a body blow must be delivered.

No sooner had he ended than the volunteers, much inflamed, elected him their captain, pledging themselves to follow wherever he might lead. Henry's forward movement was immediate. Detaching Ensign Parke

Goodall, with sixteen men, to go to Laneville, in King William County, and demand £330 of Receiver-General Richard Corbin in compensation for the gunpowder, he himself took the Williamsburg road with the main body of his volunteers. On the night of the 3d he camped at Doncastle's Ordinary, sixteen miles from the capital. There Ensign Goodall reported. He had surrounded Corbin's house at night, but in the morning had learned that Corbin was elsewhere. However, a message from Corbin soon reached Henry, and next day the compensatory sum was paid. Finally, letters passed between Henry and Robert Carter Nicholas as to whether the volunteers should escort the public treasury to a less tumultous place than the capital. Treasurer Nicholas expressed doubt as to "the propriety of the proffered service"; and the idea was abandoned.

Henry's main object, of course, had been attained. His force had increased by constant accessions, and some five thousand men are said to have been under arms. At his bidding, his followers dispersed. Meantime, Dunmore had planted cannon on the "palace" green, had sent his wife on board the man-of-war "Fowey," and had ordered up marines from York. These also now retired, and the brief campaign was over.

Thus far the accepted account; but was there ever in the history of man a narrative of a military operation, big or little, that did not give rise to some dispute between its surviving participants? Like pigeons in a flock, the facts never alight at the same moment and at the same spot. Some of them are sure to circle wide and perch to suit themselves. In his old age Samuel Meredith, Henry's brother-in-law, dictated a curious memorandum on the gunpowder expedition. Some manuscript notes left by Wirt show that he was puzzled by it. These notes, with others by Judge Roane, as well as statements by Nathaniel Pope and George and

Charles Dabney, and the Meredith manuscript itself, are all here before us now. Colonel Parke Goodall told Roane that the Meredith story was erroneous. George and Charles Dabney agree that Meredith was not in full commission as captain of the Hanover volunteers when the troops met at New Castle. No wonder Wirt concluded that "in the course of thirty years" Meredith "may have confounded the order of events." Meredith says that "P. Henry knew nothing of the first meeting or first movements of the Hanover volunteers." They were already astir when Colonel Syme despatched a letter to Henry, then actually on his way to Congress. In response to this letter, Henry soon reached New Castle, conferred with Meredith, and agreed to address the company. But let us follow this quaint manuscript, which unfortunately has upon it the stain of dubiety as well as the pleasing dinginess of more than a hundred years:

"When he [Henry] retired for the purpose of preparing to go and address the Company, it was proposed by S. Meredith that every effort should be made to induce P. H. to take the command of the Company; that they stood in need of his wisdom to direct them, and of his eloquence and his reputation to protect them in case their schemes should fail or be disapproved. This proposition met with universal approbation It was accordingly agreed that as soon as P. H. should finish his address, Colonel M. should resign in his favor, that they should drown all his objections by their cries of approbation, and that he should be forcibly invested with *the Hunting Shirt* and the uniform of the times—S. M. to remain second in command. This plan was carried into effect; for as soon as he had finished his address (and an elegant one it was), Colonel M. resigned the command. Colonel [Edmund] Winston and others clothed P. H. in the Hunting Shirt. He was an entire stranger to the plan till the moment of its execution, and resisted their importunities as long as he could, urging the necessity of his presence in Congress. But at length, finding all resistance vain, he yielded to their entreaties, and declared that he would not refuse to execute plans which had been sanctioned

by his advice. Afterwards on the same day it was determined to send a party to King and Queen to take the person of Colonel Corbin, the Receiver General, in order to ensure payment from the money of the Crown for the military stores taken by Dunmore; but strict orders were given to do no injury to his person. This party was to meet the main body at Armistead's Tavern in New Kent. They went to Colonel Corbin's, but he was from home. On the same day that P. H. was elected to the command, the Company marched on to Park's Spring; from thence, the next day, to New Kent Court House, where they were met by Mr. Norton, a son-in-law of R. C. Nicholas, sent up by him to know the extent of the objects of the volunteers, which by this time had been variously conjectured and related; for the people in Williamsburg particularly had become alarmed at the great force which was collecting from various parts. The example of the Hanover volunteers, headed by a man of P. H.['s] reputation, and a member of Congress, had excited a similar spirit in the adjoining counties. Norton was prevented by P. H. from returning, and all persons travelling towards Williamsburg were arrested in their progress. The next day they proceeded to Doncastle's. That night another messenger arrived from Mr. Nicholas, as the Chairman of the Common Council of the City of Williamsburg, with the information that Dunmore had gone on board the man-of-war, that the people of Williamsburg were relieved of their apprehensions, and praying that the volunteers might proceed no further. The next day the men were enrolled, and consisted of 1500; and P. H., in answer to Mr. Nicholas, sent him a letter by Holt Richardson (with whom Norton was permitted to return), detailing to him the objects of the volunteers, and requesting a valuation of the military stores, etc. Richardson returned with the valuation, amounting to about £360 sterling, and in his company, or very shortly after him, came Mr. Carter Braxton, who was the son-in-law of Colonel Corbin. He informed P. H. that Colonel Corbin had been made acquainted with the objects of the volunteers, and sent him to make satisfaction for the military stores according to their valuation; and tendered bills drawn by Corbin on Hanberry of London, which were refused by P. H., altho' Braxton offered to indorse them. Braxton was much mortified, and expressed his surprise that he should be refused as indorser for so small a sum as £360 sterling. P. H. acted in such a manner as to convince Mr. Braxton that he refused him as indorser because he was suspicious, not of

his ability to pay, but of his political attachments. He certainly treated him with great coolness and reserve, for he was writing at the time Mr. Braxton first entered the room, and Samuel Meredith, who was present during the whole interview, is not certain that Mr. H. rose from his chair. P. H. told Mr. Braxton that Dunmore had already gone on board the man-of-war, and was ready to protect and carry off any person or persons friendly to his views; that Corbin, his father-in-law, was agent of the Crown, and he, C. B., was the agent of Corbin, giving him thus clearly to understand that he was fearful the Drawer and indorser of the Bill might disappear with Dunmore; and thus the main object of the volunteers, compensation for the arms, etc., [would] be defeated. Colonel Meredith is positive that the cool treatment Braxton received from P. H. arose altogether from the suspicions entertained of B. by P. H., and that his suspicions had been excited by no other cause than the near connexion existing between Braxton and Colonel Corbin, who was agent of the Crown, and therefore he (Corbin) was suspected by Mr. H. Mr. Braxton had not then given the evidence which his subsequent conduct afforded, of his attachment to the cause of the Revolution. P. H., in a private conversation with S. Meredith, after C. Braxton retired, did not hesitate to declare to him the reason of his conduct towards Braxton and the nature and cause of his suspicions. He informed Mr. B. before he retired that he would take as indorser any responsible character of known attachment to the Revolutionary cause. On Carter B. mentioning Colonel Nelson, P. H. said he would receive him very willingly. Some time after, Colonel Nelson arrived at Doncastle's. Mr. B. was with him, but whether Mr. Braxton had gone to Williamsburg for him, or met him on the way, or whether Mr. Nelson found Mr. Braxton at Doncastle's, is not certain in the recollection of Samuel Meredith. As soon as P. H. heard of the arrival of Colonel Nelson, he ran out of the house, bareheaded, and received him with the utmost warmth of friendship. The bills were indorsed by Colonel Nelson, received by P. H., and the troops, except the Hanover volunteers, dismissed."

Prolix as it is, we have been at pains to reproduce this account of the meeting of Braxton and Henry, because of its bearing upon Henry's future. Henry did what seemed to him the best thing for the public

good, but in so doing he made a personal sacrifice; that is to say, he incurred the enmity of a rich and influential man. Before the end of the year, Braxton had it in his power to do Henry a downright injury. We shall soon come to this; it should be added now that whatever Meredith's misconceptions as to Henry's actual initiative of the expedition, there appears to be no sound reason why they should vitiate other parts of his narrative. He was certainly a man of high character; he was certainly with Henry from New Castle on; and his circumstantial statement with respect to Carter Braxton has upon it the stamp of truth.

Throughout this passage-at-arms Henry acted with prescience, vigor, and circumspection. Some may say that he should have marched on to Williamsburg and swept Dunmore out of Virginia. No doubt he felt like doing so; but he knew his Virginians too well to go beyond the point of reprisal. If he had put himself in the wrong, he might have harmed the patriot cause with the "peace party" men, whom he was seeking to win over. Weatherwise as to the great storm muttering 'round the sky, he saw that what was done to-day should be done with to-morrow constantly in view. Therefore he was careful to put upon record an exact statement of his object and his acts. In his receipt to Corbin he made it clear that such of the money as should not be used in buying fifteen half-barrels of gunpowder would be returned, and this was done; for Henry himself subsequently bought the powder for £112 10s., resupplied the colony, and gave back the balance of the money to the Receiver-General. Trifling though this matter seems, it is of consequence in that it throws a light upon the man's character, and once more disproves the fallacy as to his inattention to detail.

By reason of the gunpowder transaction, Henry became more than ever the "Man of the People." The

Hanover County Committee insisted upon assuming responsibility for his act. Eight other counties formally thanked him. Louis Hue Girardin, referring to the period of this exploit, declares that "Patrick Henry was now at the zenith of his popularity." Nevertheless, hardly had he returned to "Scotchtown" when he found himself the subject of a fulmination from the "palace": "I have been informed, from undoubted authority," said Dunmore, in a proclamation, under date of the 8th of May, "that a certain Patrick Henry and a number of his deluded followers have taken up arms . . . and put themselves in a posture for war;" wherefore all persons were strictly charged, "upon their allegiance, not to aid, abet, or give countenance to the said Patrick Henry."

The "said Patrick" paid no further attention to the official attaint than to address an explanatory letter to Francis Lightfoot Lee. As he was going North, he wanted Lee to set him right before the coming Convention. Nor would he have cared if he had known that Dunmore was denouncing him to the Ministry over-sea. Dunmore wrote that Henry was "a man of desperate circumstances, who had been active in encouraging disobedience and exciting a spirit of revolt among the people for many years past." The members of the Council, too, expressed their "detestation and abhorrence for that licentious and ungovernable spirit that had gone forth and misled the once happy people of the country." "It was thus," says Girardin, "that this body permitted itself to speak of that glorious spirit of liberty which at that time glowed alike in every Virginian bosom. Henceforward the Council was considered as the enemy of liberty and the abettor of tyranny, and became scarcely less odious in the eyes of the people than Dunmore himself." But Girardin speeds somewhat too fast. Loyalty, or something very like loyalty,

still lingered in a few "Virginian bosoms," and the breath was not as yet quite out of that ancient body, the House of Burgesses. Once more it met—this time to weigh and reject the belated conciliatory proposals of Lord North. And once more the Powder Horn comes into the story. While the Burgesses were sitting, some young men who wanted arms entered the ancient arsenal by night, whereupon one of a number of spring-guns, set by Dunmore's direction, shot them foully. Again the people rose, and Dunmore fled to a war-ship in the York. The Burgesses saw that they could do nothing to patch up peace. Most of them had no wish to do anything, unless a great victory could be won without war. But they expected war. Some of them were in hunting shirts and kept their rifles at hand. "It was no longer a body of civilians in ruffles and powder," says John Esten Cooke, "but a meeting of men in military accoutrements ready to fight." They adjourned; and after that there was never a quorum. Thrice again the dying colonial parliament gasped. Finally the Journal records that "several members met, but did neither proceed to business or adjourn." "And below these words," says W. G. Stanard, "the clerk has written in heavy lettering 'FINIS,' closing the record of the last of the Virginia Colonial Legislatures with an elaborate corkscrew tail-piece."

At this point it seems but fair to say that in ten years Henry and those who sided with him had practically rid "the most loyal colony" of loyalists. The Tory element was absorbed by strictly American parties. From Massachusetts, in the final tempest, there was an exodus of more than a thousand out-and-out King's men; but the notable Virginia refugees could be counted on the fingers of one hand. May we not intimate that, in a measure, the unity of the Old Dominion people is a tribute to Henry's politic course and to the effective-

ness of his pleas? In vain do we search among these few refugees for some such tidewater character as that old lover of royalty, George James Bruere, Governor of the Bermudas, who, like Byrd, might have figured in a Thackeray novel. Says his grandson, Henry St. George Tucker, nephew of the Virginia St. George:

"I remember to have seen him, after rather copious libations, go through the evolutions of the battle of Culloden, and other great fights in which he was personally engaged. He marched and countermarched—charged the enemy with great vigor—handled his large stick with great skill and effect (albeit with some peril to those around him), and generally concluded with the shout of victory—the 'British Grenadiers'—or the popular anthem, 'God Save the King.' He was heart and soul a Royalist; while my grandfather Tucker,* from his American connexions, took a favorable view of the American cause. The uncompromising Governor called the Americans *'rebels'*—a term of reproach which, naturally enough, gave mortal offence to one who, at that moment, had two sons to whom the opprobrious term applied. These proud spirits separated, never again to meet in friendly hall."

But if there were no Brueres in Virginia, there was a Wormley. Ralph Wormley was the last of the loyalists. Educated at Eton and Oxford, he was perhaps the dearest lover of books in all America. He had two things at heart—his library and the great Anglican empire. As a member of Dunmore's Council, he had just expressed his "detestation and abhorrence" of Henry's rebellious spirit. But in more pacific times, happening to enter a Williamsburg store one day, Henry

* One of the sons of this Bermuda Tucker was the grandfather of Charlotte M. Tucker, known in literature as "A. L. O. E."; another son was Tudor, Treasurer of the United States under Washington and other Presidents down to John Quincy Adams' time; still another son, Nathaniel, a doctor in England, started a twelve-book epic on the American Revolution.

saw this worthy, deep in an ancient tome. "What, Mr. Wormley, still studying books!" said he. "Study men, Mr. Wormley, study men!" One can imagine with what contempt the Oxford scholar received this remark, underrating as he did the living books so familiar to his critic. Wormley did not leave America during the war. Henry liked him—all who knew him esteemed him; and he and his cartloads of treasures were sent beyond the Blue Ridge. But, sighing for the tidewater country, he at last returned thither. A Tory privateer from New York landed, and plundered his house. Thus, with his venerated empire disrupted by the Whigs and his beloved books vandalized by the Tories, poor Ralph Wormley, sitting among his empty shelves, had poignant reason for remembering Henry's words, "Study men."

Three days after his return from the gunpowder expedition, Henry left home for the North. It was expected that Dunmore would seek to intercept him. Here is a newspaper account of his journey:

"Hanover, May 12, 1775.—Yesterday Patrick Henry, one of the Delegates of this Colony, escorted by a number of respectable young gentlemen, Volunteers from this and King William and Caroline Counties, set out to attend the General Congress. They proceeded with him as far as Mrs. Hooe's Ferry on the Potomack, by whom they were most kindly and hospitably entertained; and also provided with boats and hands to cross the river. And after partaking of this lady's beneficence, the bulk of the company took their leave of Mr. Henry, saluting him with two platoons and repeated huzzas. A guard accompanied that worthy gentleman to the Maryland side, who saw him safely landed, and committing him to the gracious and wise Disposer of all human events, to guide and protect while contending for a restitution of our dearest rights and liberties, they wished him a safe journey and a happy return to his family and friends."

As he rode towards Philadelphia, was it in Henry's mind to become a soldier? Had his success with the

volunteers influenced him in the matter? Had he not long led in voicing resistance, and would it not be his duty to fight, now that the time for fighting had come? Naked consistency demanded that he should make a soldier of himself. And when he reached Philadelphia, he saw much to feed and fire his military spirit. It was a livelier city than the one he had left the fall before. Camped in the groves were light infantrymen in green, as well as many militia-men in brown, with buck-tails on their little round hats and the word "Liberty" on their cartouch-boxes. Even his consumptive-looking friend Dickinson intended to go out as a colonel. Moreover, when Henry took his seat as one of the seventy-eight members of the Second Congress, which he did on Thursday, the 18th of May, eight days late, he almost touched elbows with Washington, wearing his blue and buff. "There he was . . . symbolically clad in his military uniform, a sword at his side, the thoughtful Colonel, who spoke in deeds, not words." Nor had Henry more than time to survey the State House hall, soon to be known as Independence Hall, and perhaps note the presence of that great man, Benjamin Franklin, and Boston's rich importer, John Hancock, when the President announced from his chair the glorious news of the taking of Ticonderoga. It was, indeed, a stirring time throughout the country—Bunker Hill summer was about to open, and Henry, with his fellow members, partook of the general excitement. In Committee of the Whole on the state of America, they spent a week debating as to the course to be pursued; and on the 26th of May they voted to prepare for defence. Jay and Dickinson were for further parley; the Adamses, and beyond doubt Henry, though no record of speeches by him is to be had, stood up for the immediate creation of an army and navy. "The bugle call to arms which he had

sounded in the Virginia Convention only two months before," says William Wirt Henry, "was most certainly repeated with all the energy and eloquence of which he was capable, now that he stood in the midst of the representatives of the United Colonies."

There is evidence that in this Congress Washington and Henry thought alike and worked together. They were on a committee to fortify the colony of New York, and on another to supply the continent with military necessities; and they otherwise labored in concert to prepare for war. On the 15th of June, when Washington was made Commander-in-Chief, tears came into his eyes as he said to Henry: "This day will be the commencement of the decline of my reputation." According to the Journal for the 21st of June, "Mr. Henry informed the Congress that the General had put into his hands sundry queries to which he desired the Congress would give an answer." With Franklin and Judge James Wilson, Henry was selected to manage the Indian affairs of the Middle Department. When the news came that Joseph Warren had been slain, he was quick to draw a patriotic moral. "A breach on our affections," said he, "was needed to arouse the country to action." In his talks with John Adams, "Patrick Henry was in favor of [foreign] alliances, even if they must be bought by concessions of territory."

In fine, we conclude that during this whole session of Congress Henry was a "business member"—alert, useful, ready to speak the right word or to do the right thing. We are just reaching this conclusion with respect to poor Henry when we turn a corner and come face to face with Mr. Jefferson, who says:

"I found Henry to be a silent and almost unmeddling member in Congress. On the original opening of that body, while general grievances were the topic, he was in his element, and captivated all by his bold and splendid eloquence. But as soon

as they came to specific matters, to sober reasoning and solid argumentation, he had the good sense to perceive that his declamation, however excellent in its proper place, had no weight at all in such an assembly as that, of cool-headed, reflecting, judicious men. He ceased, therefore, in a great measure, to take part in the business. He seemed, indeed, very tired of the place, and wonderfully relieved when, by appointment of the Virginia Convention to be Colonel of their first regiment, he was permitted to leave Congress about the last of July."

Remembering that Mr. Jefferson himself had remained so long with the dying House of Burgesses that he did not take his seat in Congress until the 21st of June; that Henry did not start for home until after the adjournment of Congress on the 1st of August; that his election to the colonelcy of the First Virginia Regiment did not take place until the 5th of August—remembering these things, and others unnecessary to recapitulate, we lift our hat to Mr. Jefferson and pass on.

In the latter days of the session, Henry's silence, if silent he were, may have been due to the fact that he had already said his say; or it may have been due to a natural concern on his part as to political developments in Virginia; or it is possible that in the dead of summer his committee work was exacting and fatiguing. It must be apparent to every one who closely follows his life that he was a steady and sturdy thinker—none more clear-headed; and there was that in the situation of the country, as well as in his own changing relations to the public, which gave him much to ponder over. For instance, we come again to the question he was asking himself: Should he be a soldier? Many members expected to belt on the sword, and some of them looked for high places in the army. "Oh that I were a soldier! I will be," wrote the ambitious husband of Abigail Adams; and this same worthy, telling of the

time when he named Washington as Continental Commander-in-Chief, says:

"Mr. Hancock—who was our President, which gave me an opportunity to observe his countenance while I was speaking on the state of the Colonies, the army at Cambridge, and the enemy—heard me with visible pleasure; but when I came to describe Washington for the commander, I never remarked a more sudden and striking change of countenance. Mortification and resentment were expressed as forcibly as his face could exhibit them."

Hancock expected that Hancock would be the man. And when Congress in a body attended General Washington's review of the Pennsylvania troops—light horse, artillery, rangers, riflemen—how emulous the members must have been of the gentry with shoulder-straps, who, in their pride and pomp of war, seemed to be about to carry off the laurels of the long-brewing conflict! All morning on the day of the review the streets of the city were given over to soldiers and crowds of spectators. It was an infectious scene, a spectacle to glory in—drums rolling, fifes whistling their merriest, cannon sounding from river to river. The smell of burnt gunpowder put fight into many a man hitherto content to wear a broadbrim; and good Quakers that very hour broke away from the tenets of their faith. Thus we see that if Henry's "striking and lucky *coup de main*," as Rives calls the gunpowder expedition, had put it into his head to try his skill in the field, the idea must have ripened in the patriotic and military atmosphere of Philadelphia.

Since they reached Richmond together, taking their seats in the Third Virginia Convention on the 9th of August, it may be assumed that Henry and Harrison and Jefferson and Pendleton rode down in company all the way from Philadelphia. If so, how did they pair? The jovial Harrison was heavy only to his horse.

Henry was of repute as a most agreeable comrade of the saddle. Pendleton was in every way equal to the pretty business of masking his thoughts about a rival and of entertaining his fellow-travellers. If Henry broached the subject of soldiering, Pendleton would have talked well on the subject; but his mind would have outsped his tongue, upon which he kept a rein as upon his horse. His was a lawyer's view of the world. "The report of a law case had for him a charm which a novel has for others." Jefferson, the young man of the party, kept closer to Pendleton than to Henry. "Taken all in all," Jefferson thought Pendleton "the ablest man in debate" he had "ever met with." "He had not, indeed, the poetical fancy of Mr. Henry, his sublime imagination, his lofty and overwhelming diction," but Jefferson had lasting respect for his high qualities as a reasoner. So we see them pass southward, two by two, without aloofness on Pendleton's part towards Henry, and Henry unconscious of any eerie discomfort when he rode in Pendleton's shadow. It would be different when cooler weather came; but just now it was ripening weather, and if the party put up at "Scotchtown," we may be sure they saw the red heart of some monster melon sweet to the tooth.

There was news for them in Richmond. The Convention had met on the 17th of July. Fresh to public service, and sitting in Washington's seat, was George Mason—a great man—with whom Henry now formed a friendship unbroken till death. Mason saw about him a body of delegates less to his liking than he had hoped to see. Yet the Convention got along. "We must fight" was written across its chief ordinances, and it specifically provided for an enrolment of the fighters. In addition to 8180 minute-men, it voted to organize three regular regiments, each a thousand strong, with five companies of buckskin boys for the mountain border.

Who should lead them? A debate arose, and Henry's shortcomings were dwelt upon. It was said that "his studies had been directed to civil and not military pursuits; that he was totally unacquainted with the art of war, and had no knowledge of military discipline." There were good soldiers in Virginia, and one of them at least was present—Andrew Lewis, who with his five brothers had fought in Braddock's war. He it was who at Point Pleasant had coolly smoked his pipe while riflemen fell around him—not flinching even when his dear brother, Colonel Charles, was killed, but resolutely keeping up his battle till Cornstalk perished and the Shawanese broke away through the forest. Fiery, bold, a six-footer like Washington—"the earth seemed to tremble under him as he walked along." But General Lewis was bespoken. Washington wished him to be a major-general in the Continental line.

Another good Virginia soldier—born in Aberdeen about the time that Patrick Henry's father left it—was the Scotch doctor of Fredericksburg, Hugh Mercer, who in time fell at Princeton. On the first ballot Mercer led; but the logic of the situation, a name to conjure with in raising recruits, and the fresh éclat of the Powder Horn episode—these and other recommendations gained for Patrick Henry the place he wished. When he reached Richmond, he found himself Colonel of the First Regiment and Commander-in-Chief of the provincial army about to be raised. The proposed third regiment was not formed. William Woodford, a trained officer, became Colonel of the Second Regiment. He was a strong character. He had lobbied for Mercer against Henry, whom he regarded as a mere civilian. Already there were signs that certain followers of the drum harbored prejudices against those who were yet to win their scars.

On the 26th of August, the last day of the session,

Henry became officially a soldier. His commission was signed by the Committee of Safety—a newly-created body which he himself had helped to bring into being. As we shall see, it was to be a case in which the eagle grew the feather that fledged the arrow that brought the eagle down.

Let us take careful note of the plight of the Commonwealth and of the functions of this Committee. It was the transition period between the end of royal and the beginning of republican institutions. All was loose; all was tentative; much depended upon the men invested with authority, and upon the way they construed that authority. There was no Governor. The Convention could not sit continuously; therefore it appointed "a Committee of Safety for the more effectual carrying into execution [of] the several rules and regulations established by this Convention for the protection of this Colony." Its chairman was Edmund Pendleton, and the other members were George Mason, John Page, Richard Bland, Thomas Ludwell Lee, Paul Carrington, Dudley Digges, William Cabell, Carter Braxton, James Mercer, and John Tabb. By his commission and by his oath, Henry was to obey "all orders and instructions" which he might receive from the Committee. At the same time, it was specified that he was to be "Colonel of the First Regiment of Regulars and Commander-in-Chief of all the forces to be raised for the protection of this colony." "All officers and soldiers, and every person whatsoever, in any way concerned," were to be "obedient and assisting to him."

With these facts in mind, let us follow Pendleton, the civil head, and Henry, the military head, to Williamsburg, the rendezvous of the troops. Pendleton took with him a quorum of the Committee. In Mason's absence, due to illness, there is no doubt that Pendleton had his own way in most matters. Let it be remem-

bered, also, that Carter Braxton, whom Henry had rebuffed at Doncastle's Ordinary, was now in a position to help or hurt him.

But as yet there were no signs of friction between the Committee and the commander, who spent a month at "Scotchtown," setting his house in order, so that when once afield he might go as far and stay as long as need be. "Thursday last," says the *Williamsburg Gazette*, September 23, "arrived here Patrick Henry, Esq., Commander-in-Chief of the Virginia forces. He was met and escorted to town by the whole body of volunteers, who paid him every mark of respect and distinction in their power." He pitched his camp in the fields west of the College; and week by week the encampment grew, until, in mid-October, it contained nine companies of regulars. Arms were scarce. In their drill, hundreds of men handled old fowling-pieces. The soldiers of the First Regiment were uniformed in buckskin hunting shirts and leggings, but, as a rule, motley was the wear. The Culpeper minute-men were clad in green. On the breasts of their hunting shirts big white letters spelled out the legend, "Liberty or Death"; buck-tails drooped picturesquely from their hats, and their belts held tomahawks and scalping-knives. In Henry's camp was young John Marshall, a Fauquier lieutenant, and he too wore the motto of the time. Not till later did the Third Virginia delight the patriot maids of the colony by appearing in sky-blue, faced in paler blue; and there is no evidence whatever that Patrick Henry ever donned the blue and buff.

October was spent in disciplining the troops. There was doubt as to the advisability of aggressive effort. As the days passed, Henry realized that his first rub would be, not with Dunmore on the bayside, but with the gentlemen of the Committee. Digges, Page, and Carrington are said to have coöperated with Colonel

Henry; but not so Pendleton and his followers. The whole force of regulars was soon to be put into the Continental line; and it suited Pendleton to keep Henry inactive, so that some one sent down by Congress might supersede him. Meantime, it troubled Henry, thus ignobly held in the leash, that Dunmore should be permitted to burn and rob along the rivers, and go unpunished. Dunmore had two redcoat regiments, a band of Tories, some refugee negroes, and a fleet of war-vessels. His depredations were the talk of the camp. The Norfolk region was his haunt, and thither Henry wished to march, but the Committee held him back, sending Woodford instead. This was late in November. On the way to Norfolk, Woodford ignored Henry until reminded of his remissness; then he wrote: "When joined, I shall always esteem myself immediately under your command, and will obey accordingly; but when sent to command a separate and distinct body of troops, under the immediate instructions of the Committee of Safety—whenever that body or the honorable Committee is sitting, I look upon it as my indispensable duty to address my intelligence to them, as the supreme power in this colony." Hardly had Henry received this by no means "obedient and assisting" letter, when news came of Woodford's victory at Great Bridge—"a circumstance," says Wirt, "not very well calculated to gild the pill of contumacy" presented to the Commander-in-Chief. One can imagine Henry's distress at this time. As a good American, and as a generous man, he was bound to rejoice in Woodford's victory; but, personally, it was in the nature of things that he should feel deep chagrin, tinctured with vexation and resentment. He could understand why Braxton * might choose to harass him; but what of Pendle-

* In justice to Carter Braxton, let it be said that there is no direct evidence implicating him in an intrigue against Patrick

ton's distrust, or assumption of distrust? He was in a dilemma indeed. He knew that much was expected of him by the people; his reputation was at stake; yet here he was, under a cross-fire, and could do nothing at all, while a defiant subordinate was winning glory. Every one was talking of the victory over Dunmore. Even if people laughed about black Billy Flora, whose worst oath was "I'll be buttered!" and called him a hero for what he had done in a shower of bullets at Great Bridge, Henry knew that the real hero was Woodford, and he knew, too, that he must have it out with this same Woodford. Self-respect demanded such a course. But when he asked the Committee of Safety for a ruling in the matter, he saw that Pendleton was less concerned about giving umbrage to him than about offending the victorious Colonel. It was decided that while Colonel Woodford "ought to correspond with Colonel Henry," the operations should be directed by the Committee.

That the Convention itself, then assembled at Williamsburg, disapproved of Pendleton's course is shown in the vote reconstituting the Committee of Safety. In the ballot, Pendleton fell from first place to fourth, but he was still strong enough to maintain his hold of affairs. Perhaps his ill-will towards Henry was increased by the Convention's rebuke, for he wrote to Woodford, on Christmas Eve:

Henry. Nor has any Virginia historian intimated as much. The deduction is purely speculative, and is the writer's own. It is based upon Meredith's account of the Doncastle incident and upon the assumption that Braxton had his share of human nature. He would have been a generous man, indeed, if he had pocketed his grudge and played absolutely fair. Braxton was an "aristocrat." He had been a member of the House of Burgesses from 1761 to 1771, and must have been known to Henry. How obnoxious Henry found Braxton's "Address to the Convention of Virginia on the Subject of Government" will appear on a later page. Braxton died in 1797.

"The field officers to each regiment will be named here, and recommended to Congress; in case our army is taken into Continental pay, they will send commissions. A general officer will be chosen there, I doubt not, and sent us; with that matter I hope we shall not intermeddle, lest it should be thought propriety requires our calling or rather recommending our present first officer to the station. Believe me, sir, the unlucky step of calling that gentleman from our councils, where he was useful, into the field, in an important station, the duties of which he must, in the nature of things, be an entire stranger to, has given me many an anxious and uneasy moment. In consequence of this mistaken step, which can't now be retracted or remedied—for he has done nothing worthy of degradation and must keep his rank, we must be deprived of the service of some able officers, whose honor and former ranks will not suffer them to act under him in this juncture, when we so much need their services."

Some one evidently addressed Washington in a like strain, for on March 7 he wrote to Colonel Joseph Reed:

"I think my countrymen made a capital mistake when they took Henry out of the senate to place him in the field; and pity it is that he does not see this, and remove every difficulty by a voluntary resignation."

On the surface of this, it would seem that Washington and Pendleton were of one mind in regard to Henry. Both thought him useful in the forum, useless in the field. Perhaps Washington was influenced by a feeling, common with commanders, that all was not as it should be in the civilian branch of delegated public power, and heartily desired the return of a man possessing Henry's good sense to the Continental Congress. But, aside from such a speculative interpretation of his meaning, was Washington well informed as to the state of affairs at Williamsburg? Had he heard the Henry side as well as the Pendleton side? Would his reference to the matter have been so light, so unqualified, had he known the details of what looks like a genuine intrigue? Let

it be said, in passing, that Pendleton had protested when Washington was put at the head of the armies. Why? Ostensibly, on the plea that a New Englander should be Commander-in-Chief, since the war threatened to be waged in New England territory; possibly, because he did not wish to see a Virginian elevated so high above another able and ambitious Virginian. As we have noted, Washington's knowledge of human perversity was keen enough to awaken in him the imps of doubt, but up to this time he himself had been subjected to no humiliation. If after his bitter experience with the Conway Cabal he had been told of an affair such as the Pendleton-Henry dead-lock, would he not have sympathized with the victim? Plainly, he would. Plainly, he knew more of the Machiavellian element in human nature after his encounter with Gates and Conway than he had known before. He too had been accused of military incompetence.

In borrowing the word "Machiavellian," perhaps we have gone too far. It does not sound well in America. There is a home-made phrase that more nearly fits the Pendleton-Henry case—"the freeze-out policy." It was certainly in use a hundred years ago, and perhaps in 1775. So sly were Henry's opponents that they induced Congress to exclude the two existing Virginia regiments when it voted to take over six Virginia battalions. This would have left Henry high and dry as an unhonored provincial officer. But the vote was reconsidered, and the two regiments were included. Then Congress commissioned Henry Colonel of the First Battalion, subject to the command of some unnamed brigadier, possibly Woodford. This was what Henry had awaited. He preferred to accept an affront from Congress rather than from Pendleton. He was ready now to retire, and on the 28th of February he so informed Mr. Pendleton's Committee—"frozen out."

"Yesterday morning," says the *Williamsburg Gazette* of March 1, "the troops in this city being informed that Patrick Henry, Esq., Commander-in-Chief of the Virginia Forces, resigned his commission the day preceding, and was about to leave them, the whole went into mourning, and, under arms, waited on him at his lodgings." There they addressed him in terms of admiration, affection, sorrow. They told him that they could not but applaud his spirited resentment of a "most glaring indignity." His reply showed an unruffled temper. "I am unhappy to part with you," he said. "I leave the service, but I leave my heart with you. May God bless you, and give you success and safety, and make you the glorious instruments of saving our country." The *Gazette* continues:

"After the Officers had received Colonel Henry's kind answer to their Address, they insisted upon his dining with them at the Raleigh Tavern before his departure, and after dinner a number of them proposed escorting him out of town, but were prevented by some uneasiness getting among the soldiery, who assembled in a tumultuous manner and demanded their discharge, and declaring their unwillingness to serve under any other commander. Upon which Colonel Henry found it necessary to stay a night longer in town, which he spent in visiting the several barracks, and used every argument in his power with the soldiery to lay aside their imprudent resolution, and to continue in the service which he had quitted from motives in which his honor, alone, was concerned, and that, although he was prevented from serving his country in a military capacity, yet his utmost abilities should ever be exerted for the real interest of the United Colonies, in support of the glorious cause in which they had engaged. This, accompanied with the extraordinary exertions of Colonel Christian and the other officers present, happily produced the desired effect, the soldiers reluctantly acquiescing."

Imagine this scene—these incidents. No doubt Henry kept the night in mind a long, long while. Even after his return to "Scotchtown," the soldiers continued to

express their love for him and their antipathy to those who had forced him down. Ninety officers signed and sent him a round-robin, in which they declared that it was he who had first aroused the country, and that it was he who had drawn them to the standard. In camp his "firmness, candor, and politeness" had obtained for him "the signal approbation of the wise"; and it hurt them to part with him. Woodford's officers put their names to this testimonial, which must have gone far to ease the soreness of Henry's heart. In the *Gazette,* correspondents did not hesitate to attribute the outcome to envy. "We apprehend," wrote one, "that envy strove to bury in obscurity his [Henry's] martial talents. Fettered and confined, with only an empty title, the mere echo of authority, his superior abilities lay inactive, nor could be exerted for his honor or his country's good."

About this time Woodford thought of resigning, and wrote to Pendleton on the propriety of so doing. Pendleton replied: "I am apprehensive that your resignation will be handled to your disadvantage from a certain quarter, where all reputations are sacrificed for the sake of one; what does it signify that *he* resigned without any such cause, or assigning any reason at all? It is not without example that others should be censured for what he is applauded for." There was bitterness in this; and it brings us readily to a view of Pendleton's side of the case. It should be remembered that an enemy is not always a conscious enemy. There were thousands in Virginia who swore by their beloved Patrick, but there were hundreds, at least, who were still under the influence of the feeling that as he had come up of a sudden, so he would go down of a sudden. It suited some of them to take this view; they thought themselves superior to Henry, and wished him of less consequence that they might be of more. Others were

downright sincere in their belief that as a military man Henry was out of his element. Girardin, who wrote under Jefferson's eye, put it in this way: "The elevation of Patrick Henry to the chief command of the regular colonial forces was, in the opinion of many, one of those hasty measures into which the effervescence of gratitude not unfrequently betrays even public bodies. From national councils, where his usefulness was pre-eminently conspicuous, that gentleman was called to an important military station, with the duties of which he must in the nature of things have been wholly unacquainted; whilst, by an unhappy reaction, the country lost the services of some able officers whom the pride of former rank would not suffer to act under him—a loss peculiarly to be lamented in the infancy of an arduous struggle, at a time when Virginia counted only a few military characters possessed of qualifications necessary for doing their duty with honor to themselves and security to the common cause."

But it is Hugh Blair Grigsby who makes the best defence of Pendleton. Grigsby would have been distressed, indeed, if he had convinced himself that Pendleton was other than a noble-minded man. Every Fourth of July for forty years Grigsby and Robert C. Winthrop wrote patriotic letters to each other. With all their souls these patriots loved the men of the Revolution; and this love led them to idealize the Fathers, among whom, in Grigsby's opinion, Pendleton stood well to the front. In his delightful volume, "The Virginia Convention of 1776," Grigsby says:

"Nothing could show more clearly the general confidence reposed in him than his unanimous election by the Convention of July, 1775, as the head of the Committee of Safety. That body consisted of eleven members, was in the interval of the sessions of the Conventions the executive of the Colony, and was always in session. Its duties were of the most delicate, of the most perplexing, and of the most responsible

kind. There was no precise rule for its guidance. The ordinance which created it endowed it with enormous powers positive and discretionary. Its difficulties were enhanced by the fact that the Colony was in a state of war. The utmost prudence, energy, and wisdom were required in its head; and these qualities Pendleton possessed in an eminent degree. . . . One single act of the committee excited in some minds a prejudice against its head; and justice to the memory of Pendleton demands a passing allusion to it. . . . That Edmund Pendleton and Patrick Henry were enemies, I do not affirm; but that they were at the head of their respective parties at a time when their issues involved life and death, is known to all. . . . Pendleton represented the great conservative interest of the Colony, and Henry personified the great body of the people, who, in all countries and in all ages, are opposed to the few who wield the influence of government for their own advantage. Their opposition began as early as 1765, and was renewed at intervals until Henry was elected Governor and Pendleton, after passing a session or two in the House of Delegates, was called to the Bench. To all who are familiar with the character of Pendleton, it must be obvious that political animosity could never have impelled him to seek the destruction of an opponent. . . . Nor could the success of Henry interfere in any respect with the ambition of Pendleton. . . . The success of the arms of the Colony was the success of his own policy. To blast the fame or curb the spirit of an officer under his control, was virtually to prevent the increase of his own renown and to dim the glory of his own administration. . . . To lead a force at that critical juncture, Colonel Woodford, Henry's second in command, was highly qualified. His triumphant success justified the foresight of the committee. . . . If we are disposed to attribute the conduct of Pendleton and his associates to individual jealousy, and to a desire to ruin the fortunes of a dreaded rival, would they not have adopted an opposite course, and have despatched Henry, unacquainted as he was with war, through a hostile population to the seaboard, where the British forces, which had been recruited some days before by a re-inforcement of regular troops from St. Augustine, were ready to receive him? . . . It was the general belief of the time that Woodford's men, had he been defeated, would have been given over for indiscriminate massacre by the black banditti which Dunmore had listed and armed."

This is well reasoned; but, in spite of it, the fact remains that Henry was grossly abused. Nor can we accept a statement, "heard at second-hand" by Grigsby, that the real ground of the Committee's action "was the want of discipline in the regiment under the command of Colonel Henry." "My authority," says Grigsby, "is the late Colonel Clement Carrington, of Charlotte, son of Judge Paul Carrington. None doubted his [Henry's] courage, or his alacrity to hasten to the field; but it was plain that he did not seem to be conscious of the importance of strict discipline in the army, but regarded his soldiers as so many gentlemen who had met to defend their country, and exacted from them little more than the courtesy that was proper among equals." Judge Carrington, a member of the Committee, may have so informed his son; but no charge as to lack of discipline was brought at the time, or during Henry's life. On the contrary, we have the direct testimony of the ninety officers, some of whom were experienced in war, as to Henry's "firmness" in the management of the troops. It is their own word, and discredits all second-generation and second-hand reports that Henry was deficient in disciplinary qualities.

Manifestly, any defence of Pendleton must be lame. Whatever his motives, he went out of his way to further his ends. He arrogated to himself powers and privileges to which he had no title. In stretching his own authority he traversed the ordinance under which Henry was commissioned. The Committee was a creature of the Convention; therefore the Committee, or Pendleton who dominated it, should have respected the Convention's vote whereby Henry became Commander-in-Chief. Had Henry blundered, or had he given signs of military incapacity, then it would have behooved Pendleton to wrestle with him for a throw. But he made no blunder. He gave no sign of incom-

petence. Pendleton, whose methods in this instance were oblique, tied him up in camp. The idea that Henry could not be trusted to march against Dunmore was a gratuitous assumption.

This leads us to ask ourselves: What sort of officer would Henry have made? Was he deluding himself in thinking that he could really make men fight to win? In his midnight reveries did he fondly see himself a soldier, striking fierce blows for freedom? Imaginative men, as we know, are apt to paint pillow-pictures, and at that time many an American was battling with the British in his dreams. Henry had numerous qualities of high soldiership. He had a mighty spirit. He had adaptability, balance, caution coupled with push, the topographical sense so useful to a soldier, the hunter's faculty of approach and surprise, a knack of leadership amounting almost to genius, and, most important of all, that peculiar imagination which sees around behind an enemy—which divines his purpose, estimates his advantages or difficulties, and opens the way to elude him or checkmate him or entrap him. This is one side. On the other, we find him lacking in certain hard qualities that are of use in training and in handling large bodies of men. Kindness, when regulated by the military spirit, as in Robert E. Lee's case, is productive of good in an army, but when ill-considered is a danger. We find him, also, especially weak in those many practical things connected with the science of war that made Drill-master Steuben strong—a strength which, fortunately for us, Steuben imparted to Washington's army at Valley Forge. But, in spite of his lack of military knowledge in 1775, why should not Henry have been a fairly good general in 1777 or 1780? Greene, a civilian, had long made a study of military science; but scores of officers knew as little of fighting as Henry did. Knox was a bookseller; Sullivan, a

lawyer; Benjamin Lincoln, a farmer; "Light Horse" Harry Lee was just out of college. Why, then, should not Henry have done as well or better? Sumter, who was so tiny at birth that he could have been cradled in a quart pot, Marion, Putnam, Stark, and others were just off the farm when war began; but they had this advantage—they had served as border rangers, and Henry had not. "That Henry," says Grigsby, "would not have made a better Indian fighter than Jay, or Livingston, or the Adamses, that he might not have made as dashing a partizan as Tarleton or Simcoe, his friends might readily afford to concede; but that he evinced what neither Jay, nor Livingston, nor the Adamses did evince, a determined resolution to stake his reputation and his life on the issue of arms, and that he resigned his commission when the post of imminent danger was refused him, exhibit lucid proof that, whatever may have been his ultimate fortune, he was not deficient in two great elements of military success: personal enterprise and unquestioned courage."

But why did so sagacious and wary a man as Henry permit himself to take a path that led to the pit of humiliation? When he saw that he was coming to such a pit, why did he not turn upon his enemies, whip them off his heels, take another trail, and go on as he wished to go? Henry had said, "Study men"—and he certainly had studied Edmund Pendleton. Often had they been at odds, often had they been in each other's thoughts at midnight; but that was in the old times, and now, as Henry assumed, it was shoulder to shoulder and all hands forward. With war begun, he perhaps permitted himself to feel that there was but one enemy to consider. He did not bethink him of revamped feuds, or count upon ambushes set by co-laborers in the patriot cause. When at home in September, and when at camp during the succeeding months, he may have

been as eager to study the art of war as he had been to study law. Possibly he hoped to grasp one science as quickly as he had grasped the other. Did Sharpe's "Military Guide" or Turenne's "Memoirs" make harder reading than "Coke upon Littleton"? If the truth could be known, we should no doubt discover that while Henry was encamped in rear of William and Mary College, he and his subordinates stripped the library of its war-books as thoroughly as Dunmore had stripped the Powder Horn of its explosives. Thus occupied, thus withdrawn from politics, it did not occur to him to safeguard himself against attack at the hands of those whose duty it was to assist him. When he realized the situation, he could not remedy it without precipitating a war of factions that would have injured the cause he had come to love. The soreness must have been deep with him; and there was much nobility in his unrevengefulness under chastisement.

XI

THE TURNING-POINT—HOME FOLKS AND FIRST FAMILY

Henry was out of the army, out of Congress, out of public life. He was at an important turning-point in his career. Hence there is occasion here for a pause—there is opportunity to glance backward and look forward. We have seen him in the morning of his life, and at its meridian in St. John's Church; hereafter we shall see him in its afternoon, closing with the peaceful and beautiful sunset at Red Hill.

He was now forty. Half his battle was over; half was to come. Hitherto he had used his genius in a warfare against despotic methods; now he was to exercise his constructive and administrative talents in a bold attempt at practical republicanism.

It was Pendleton who affixed the pivot upon which Henry swung away from national and back into provincial endeavor. In doing him the disservice set forth on preceding pages, Pendleton powerfully influenced Henry's career. Jefferson's subsequent disservice merely affected Henry's fame. Let it be borne in mind that there were now two planes of activity—the continental and the State. If Henry had done well as a soldier, he would have been acclaimed for this fresh service up and down the United Colonies. But whether he had done well or ill, at the end of the war he probably would have reappeared in the national councils and would have been a power in the Constitutional Convention. Would he not then have figured in closer companionship with Washington and Franklin, who in history dissociate themselves from State fame and loom large on the general canvas? As the Union grows, local repute is les-

sened and continental celebrity is correspondingly magnified. It suits the writer of a general history to deal with general characters. Though his national work was cardinal in its importance, Henry remained in Virginia from 1775 until his death. He was on the Virginia level—not on the continental level. Hence his fame has suffered somewhat at the hands of historians who overlook the State capitals in their wish to pitch upon the things that were common to the whole Union. Few historians do full justice to Henry's labors.

"I am an American," he had said, in the First Congress; and so he was, as long as he lived, but, fortunately for Virginians, Pendleton and circumstances forced him to be more than ever a Virginian. It is too much to say that he lost his relish for Congressional life because Congress had been a party to the Pendletonian affront. He never nursed his wrath. In fact, we shall soon see him working shoulder to shoulder with the members of the Committee of Safety. His bow to Pendleton was no less genial than Pendleton's bow to him. But for some reason he had no further desire to cross the Potomac, and as for military ambition, that was a thing of the past.

Now, it so happens that this period of change in Henry's public life was also identical with a time of change in his private life. It was doubly a turning-point with him; and, if we consider his lapse in health a little later, it was trebly such. Let us take account of certain facts that influenced him; and especially let us get nearer to his kindred, some of whom were notable characters in the border romance of the Revolution.

Henry often joked with his Hanover neighbors; and perhaps he told them that he had quit camp because he feared lest it should become overcrowded with his own relatives. His brothers-in-law, Colonel William Christian, the Indian fighter, Colonel William Campbell,

afterwards the hero of King's Mountain, Colonel Valentine Wood, Colonel Thomas Madison, and Colonel Samuel Meredith, all saw service in the Revolution. Christian was devoted to Henry, and all the others were in close friendship with him. His brother William, too, was a major of militia. Writing of Patrick Henry's "humorous vein," Nathaniel Pope says:

"I have it on the testimony of Colonel Charles Dabney that Mr. William Henry, brother of P. H., paid the latter, when Governor, a visit at his palace in Williamsburg. After the usual salutation, the Governor, who knew his brother wore boots without stockings, proposed to have them taken off and shoes or slippers substituted. To this William pointedly objected, observing he had as lief wear boots as shoes, and would not wish to be troublesome.

"'No trouble, brother! I insist upon it,' replied the Governor.

"He then peremptorily ordered a servant to pull off the boots, which, with some difficulty, he effected—William still objecting and even making resistance; when a pair of naked legs and feet were displayed, to the great amusement of the whole company, and the no small mortification and confusion of William."

"Colonel Christian," says William Wirt Henry, in writing of his grandfather's military experience, "had brought his wife with him to Williamsburg, and she took charge of her brother's headquarters. Soon their sister, Elizabeth Henry, joined them, and was a toast among the young officers. She was twenty-six years old, above medium height, with a most attractive face and imposing presence. Both in person and intellect she resembled her brother. She had the same fertile and vivid imagination, the same ready command of language and aptness of illustration, the same flexibility of voice and grace of elocution, and the same play of features expressive of every phase of feeling. Among those who brought companies to Williamsburg was

Captain William Campbell, from the Holston settlement in Fincastle County. He was of a superb physique, six feet two inches high, straight and soldierly in his bearing, quiet and polished in his manners, and always deferential and chivalric towards women. He had the fair complexion and blue eyes which betokened his Scotch descent. He had been associated with Colonel Christian in the Dunmore expedition against the Indians, and was destined to do his country great service in the war upon which they were entering. He was welcomed to the society of Colonel Henry's family at once, and it was not long before an attachment was formed between himself and Elizabeth Henry, which resulted in their marriage the ensuing spring. The only child * of this mar-

* Another child died at the age of five. Campbell's character is drawn in "A Sketch of the Life of Elizabeth Henry," by her grandson, Thomas L. Preston. Campbell's "hatred of Tories was a passion." One of these, knowing "dearest Betsy's" influence over the robust borderer, visited his house to beg Mrs. Campbell to intercede for him. During the interview the front door was opened, and in walked Colonel Campbell. "A glance at his face made the Tory spring from his seat and rush for the back door. The Colonel whipped out his sword, and was in the act of bringing it down with all the power of his strong arm upon the Tory's head, when Mrs. Campbell sprung forward and caught his upraised elbow. This made the point of the sword strike the lintel of the door, and saved the Tory's head. So powerful was the blow that it cut a deep gash in the hard oak lintel and bent the point of that celebrated 'Andrea de Ferrara.' The bend could never be entirely straightened, and there it remains to this day." General John S. Preston wore this ancestral sword in the Civil War. While returning from church one Sunday, in 1779, Campbell broke away from his party, which was mounted, in chase of an escaped Tory, Frank Hopkins, who leaped his horse from a high bank into the river. But Campbell spurred over the cliff after him, and sat, breast-deep, in the stream, holding Hopkins a prisoner, till other pursuers came. Later, when Colonel Campbell rejoined his wife, she eagerly inquired, "What did you do with him, Mr. Campbell?" "Oh.

PATRICK HENRY'S SISTER ELIZABETH

(Married, first, General William Campbell; second, General William Russell. In intellect and person she was her brother over again. Her voice "carried" like his. It rang as clear as a bell for 1100 yards across a pond between her own house and her daughter's. Signals were used in replying. Her prayers were as eloquent as Patrick's speeches. From a pencil-sketch owned by Mrs. John M. Preston, Seven-Mile Ford, Va.)

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Foundations.

riage was Sarah Buchanan, who married General Francis Preston. Her descendants have been remarkable for eloquence, the most celebrated among them being her oldest son, William Campbell Preston. Mrs. Campbell afterward married General William Russell, and by her talents and practical piety became known as the Lady Huntingdon of Virginia."

This camp romance passed into a fireside tale in the South, and many who thus heard the love-story of their grandmother lived to become famous in literature, in law, or in war. One can imagine Henry's keen interest in the courtship. It is seen from his letters that his sisters were very dear to him. As for his mother, her sweetness of character and her contented old age were for a long time a balm and a benefaction to his spirit. Sarah Syme Henry looked about her when she grew gray, and saw all her children doing well. One of them, especially, seemed to her to be an object of pride, but she was so sincere in her piety that she measured Patrick only by the good he was doing or might do. She lived in Hanover with her eldest daughter, Jane, Colonel Meredith's wife, visiting from time to time at the homes of her other children. Except Sarah, who had married an Englishman, all were within reach. Here is her only existing letter, written to a friend (the wife of Colonel William Fleming) after her return from Botetourt, whence her son-in-law, Colonel Christian, had just gone against the Indians:

"15 October, 1774.

"DEAR MADAM: Kind Providence preserved me and all with me [Mrs. Anne Christian and her little ones] safe to our Home in Hanover. Here people have been very sickly, but hope the sickly season is nigh over. My dear Annie has been ailing

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we hung him, Betty—that's all!" Lyman C. Draper, in "King's Mountain and its Heroes," tells a great deal about William Campbell.

two or three days with a fever. The dear children are very well. My son Patrick has gone to Philadelphia near seven weeks. The affairs are kept with great secrecy, nobody being allowed to be present. I assure you we have our lowland fears and troubles with respect to Great Britain. Perhaps our good God may bring us out of these many troubles which threaten us not only from the mountains but the seas. . . . I am, dear madam, your humble servant,

"SARAH HENRY."

Accompanying the Merediths to a new home in Amherst, she lived ten years longer. In her will she directed that mourning rings be given to all her children. It was said of her that to her five talents she had added five. "My dear and ever honored mother died six or eight weeks ago," wrote Henry in the course of a letter to Judge Bartholomew Dandridge, "my brother William two weeks, and my only surviving aunt ten days. Thus is the last generation clearing the way for us, as we must shortly do for the next."*

But in the wish to put these family portraits plainly before us, so that we may go on to other matters, we have anticipated somewhat. Reverting to "Scotchtown" and the spring of 1776, we find Henry under bereavement. He had just lost the wife of his youth—his good mate for twenty-one years. Sarah Shelton was much missed, much lamented. She had borne him three sons and three daughters, the eldest of whom, Martha, already married to Colonel John Fontaine, took charge of her father's household. Martha was a lifelong favorite with him. Anne, who subsequently married Judge Spencer Roane, was at this time a young girl, as was Elizabeth, later the wife of Philip Aylett and the mother of the brilliant young orator, Patrick Henry Aylett, a victim of the Richmond Theatre fire.

* "Died, Rev. Patrick Henry, rector of St. Paul's Parish, in Hanover, April 11."—*Virginia Gazette*, 1777.

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"SCOTCHTOWN"

(The last of Patrick Henry's Hanover homes. Now forlorn, it was in its day a noted "seat," with beautiful grounds about. Dolly Madison's girlhood was spent here.)

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"Scotchtown" house still stands. No architect who is interested in colonial structures but would delight to "restore" it; and perhaps we too should find some pleasure in attempting to bring it back to mind just as it was when Patrick Henry lived there. He had been familiar with this part of Hanover since his boyhood; "Mount Brilliant" was only a morning's ride away; and in going to and from the Forks church with his mother, he had frequently passed along the county road which skirts the "Scotchtown" plantation. The big brick Forks church looks as though a century and a half had merely solidified it, and some of the trees that stood then stand now. To the south a few miles runs the South Anna River, and to the north the North Anna, both streams clear in dry weather, but red and rapid when rains drench the rolling land. The hilly roads are red. Rocks abound; and there is much romance in the leap of waters, the beautiful foliage on the high banks of the streams, and the general aspect of a region rich in hills, ravines, forests, and pleasant fields. But there is a sudden slipping down from high romance when we learn the name of the Patrick Henry neighborhood. It is "Negrofoot." Negrofoot road was the one followed by Henry in his Louisa County pilgrimages. Back of the name is a grim tale that has caused many a child to cuddle down under the bedclothes and cover up its head. There was a black man, new come from Africa, and he seemed particularly fond of a certain baby. He fed the baby fat. And still he fattened it. . . . By and by this negro's foot was seen staked as a warning on the highway. It was the first known instance of cannibalism in Virginia, and it was likewise the last, for the vengeful news of the spiked foot spread from plantation to plantation, and the strange sign was talked of near and far.

It was a Scotchman, Colonel Chiswell, who built

"Scotchtown," with its hall, its mills, its storehouses, and its cabins. Around him were his thousand acres. He liked broad spaces indoors as well as out. From the stone-paved floor of his front porch he had a sweeping view towards the north, and from a similar porch on the south side, with its flagged steps leading down, he could treat his eye to a stretch of green fields bordered by forest trees; for he had pitched this queer old-world house on a broad-topped hill gently sloping in every direction. He had built a hall-like frame structure of extraordinary length, with a basement that contained a "dungeon"; above the basement he had arranged eight large rooms, opening into a wide passage, and above these an immense garret, which, if unpartitioned then as it is now, was spacious enough to accommodate all the dancers in Hanover. There were doors of walnut, and the hall and living-rooms were panelled in walnut from floor to ceiling. There were corner fireplaces, with marble mantels and marble fronts, showing fluted columns. From this lordly lodge in the wilderness, where in later years lived Sarah Cary, who gave up her jewels to the patriot cause, where Dolly Payne Madison's childhood was spent, and where a certain terrible Mr. Forsythe is said to have chained his wife in the "dungeon"—though in our souls we believe it was a sweet-potato pit—the gallant Colonel Chiswell was accustomed to ride in his coach down Negrofoot road to Williamsburg, where, in the season, he enjoyed the companionship of the bloods. But, as the story goes, in a quarrel at table he killed a man, and became a convict.*

* Apparently this "Scotchtown" Chiswell is identical with the Colonel Chiswell who attempted unsuccessfully to extract silver from lead ore in Wythe County. Howe says: "He killed a man in a quarrel and died in prison." Doubtless, Fort Chiswell took his name.

Henry next owned the place; then Cary; then Payne. In the "Memoirs and Letters of Dolly Madison" we have a pleasing bit about "Scotchtown." Note the reference to the number of rooms, which would indicate that the garret aforementioned was cut up into chambers. "Towards the close of her life," says the "Memoirs," "Mrs. Madison frequently recalled the home of her childhood, dwelling upon the great black marble mantelpieces, supported by white figures. The house . . . was surrounded by a number of small brick houses, attached to the main building, which was very large, having as many as twenty rooms on a floor. . . . The little country school to which Dolly wended her way for the first twelve years was of the simplest description. Equipped with a white linen mask to keep every ray of sunshine from the complexion, a sunbonnet sewed on her head every morning by her careful mother, and long gloves covering the hands and arms, one can see the prim little figure starting off for school, with books under her arm, and the dear but wicked baubles safely hidden beneath the severely plain Quaker dress." Her parents were Friends, but her grandmother, once a great beauty and belle, was not; and this worldly grandmother had given her the "wicked baubles"—otherwise some charming old jewels—which Dolly surreptitiously kept in a bag. "Almost the first grief of her childhood," adds the "Memoirs," "was the loss of this precious bag, discovered in school, after a long ramble through the woods, during which the string must have become unfastened, scattering the treasure where days of searching proved of no avail."

"Scotchtown" commended itself to Henry for his ailing wife's sake, because it was reputed to be healthy, and for the sake of their children, because it gave them a playground where they could start a deer, swim, angle, shoot, ride, and occasionally track a bear.

" In the management of children," says Colonel Meredith, " Mr. Henry seemed to think the most important thing is in the first place to give them good constitutions. They were six or seven years old before they were permitted to wear shoes, and thirteen or fourteen before they were confined to books or received any kind of literary instruction. In the meantime they were as wild as young colts, and permitted to run quite at large. He seemed to think that nature ought to be permitted to give and show its own impulse, and that then it is our duty to pursue it. His children were on the most familiar footing with him, and he treated them as companions and friends." * " Mr. Meredith's statement is in a great measure true," comments Judge Roane, husband of one of these Scotchtown girls, " but they were sent to school before thirteen or fourteen. I have thought Mr. Henry was not sufficiently attentive to the education of his children, which I ascribed to the great facility with which he acquired his own education."

Scattered about " Scotchtown " plantation were cabins enough to shelter thirty slaves, who did the farm-work, mill-work, and much of the housework. It was an independent community with a life of its own; and if Patrick Henry's sons—John, William, and Edward—did not have many friends among the black people, they differed from most of the plantation-bred boys of their day and generation. John, in time, had a family of his own; but not so William; and Edward—the " Neddy " of affectionate references in his father's

* " His brother-in-law, Colonel Thomas Madison," says Judge W. H. Cabell, " gave me information as to his conduct to his children. Colonel Madison could not refrain from laughing when he described the appearance and manners of his sons before they arrived at the age of 14—bareheaded, barefooted, hallooing and whooping about the plantation in every direction, and as rough as nature left them."

letters—died in his youth. The daughters became the mothers of distinguished men. Henry seems to have trained his girls with especial care. His letter to Anne when she married Spencer Roane is an Eighteenth Century model of its kind. The light it throws upon his own character adds to its interest. It runs:

"My Dear Daughter: You have just entered into that state which is replete with happiness or misery. The issue depends upon that prudent, amiable, uniform conduct which wisdom and virtue so strongly recommend on the one hand, or on that imprudence which a want of reflection or passion may prompt on the other.

"You are allied to a man of honor, of talents, and of an open, generous disposition. You have, therefore, in your power all the essential ingredients of happiness; it cannot be marred, if you now reflect upon that system of conduct which you ought invariably to pursue—if you now see clearly the path from which you will resolve never to deviate. Our conduct is often the result of whim or caprice—often such as will give us many a pang, unless we see beforehand what is always the most praiseworthy, and the most essential to happiness.

"The first maxim which you should impress upon your mind is never to attempt to control your husband, by opposition, by displeasure, or any other mark of anger. A man of sense, of prudence, of warm feelings, cannot, and will not, bear an opposition of any kind which is attended with an angry look or expression. The current of his affections is suddenly stopped; his attachment is weakened; he begins to feel a mortification the most pungent; he is belittled in his own eyes; and be assured that the wife who once excites those sentiments in the breast of a husband will never regain the high ground which she might and ought to have retained. When he marries her, if he be a good man, he expects from her smiles, not frowns; he expects to find her one who is not to control him—not to take from him the freedom of acting as his own judgment shall direct, but one who will place such confidence in him as to believe that his prudence is his best guide. Little things, that in reality are mere trifles in themselves, often produce bickerings and even quarrels. Never permit them to be a subject of dispute; yield them with pleasure, with a smile of affection. Be assured, one difference

outweighs them all a thousand, or ten thousand, times. A difference with your husband ought to be considered as the greatest calamity—as one that is to be studiously guarded against; it is a demon which must never be permitted to enter a habitation where all should be peace, unimpaired confidence, and heartfelt affection. Besides, what can a woman gain by her opposition or her indifference? Nothing. But she loses everything; she loses her husband's respect for her virtues, she loses his love, and with that, all prospect of future happiness. She creates her own misery, and then utters idle and silly complaints, but utters them in vain.

"The love of a husband can be retained only by the high opinion which he entertains of his wife's goodness of heart, of her amiable disposition, of the sweetness of her temper, of her prudence, of her devotion to him. Let nothing upon any occasion ever lessen that opinion. On the contrary, it should augment every day; he should have much more reason to admire her for those excellent qualities which will cast a lustre over a virtuous woman whose personal attractions are no more. . . .

"Cultivate your mind by the perusal of those books which instruct while they amuse. Do not devote much of your time to novels. . . . History, geography, poetry, moral essays, biography, travels, sermons, and other well-written religious productions will not fail to enlarge your understanding, to render you a more agreeable companion, and to exalt your virtue.

"Mutual politeness between the most intimate friends is essential to that harmony which should never be broken or interrupted. How important, then, it is between man and wife! . . . I will add that matrimonial happiness does not depend upon wealth; no, it is not to be found in wealth, but in minds properly tempered and united to our respective situations. Competency is necessary. All beyond that is ideal. . . .

"In the management of your domestic concerns, let prudence and wise economy prevail. Let neatness, order, and judgment be seen in all your different departments. Unite liberality with a just frugality; always reserve something for the hand of charity; and never let your door be closed to the voice of suffering humanity. Your servants especially will have the strongest claim upon your charity; let them be well fed, well clothed, nursed in sickness, and let them never be unjustly treated."

It is a tradition among the Henry negroes, who now for the most part dwell in the Staunton River country, that their grandparents were treated just as Patrick Henry here admonishes his daughter to treat them. But it may be said: How could Henry find it in him to hold slaves? How inconsistent that this champion of freedom should be a party to the vassalage of human beings! Liberty was the key-note of all his political acts. What incongruity, therefore, have we here! How did Henry reconcile his combative advocacy of the rights of man with his own petty overlordship of men? There is a dampening paradox in the matter; we do not like it; our tender modern feelings are hurt. We who know very well that terrible evils exist to-day, and that we enjoy our dinners in spite of these evils, are disposed to blame Henry. We do not blame Washington and other worthies on this score quite so much; but then, they were less fervid in their utterances. It seems to comport with the character of Washington that he should have held slaves. Besides, as Henry Lee said of him: "He moves in his own orbit." But slave-holding does not harmonize with Henry's character. In Patrick Henry's case we see an incongruity, forgetting that the incongruity is due to vast changes wrought in custom, and is in no wise chargeable to the man himself.

In point of fact, Henry's record on slavery is admirable. His opinion of it was well voiced by the Rev. Jonathan Boucher, a plain-spoken man, afterwards Vicar of Epsom, in Surrey, England, who at Bray's, in Hanover, as early as 1763, told the people from the pulpit that slavery was an economic drawback and an evil. "I am far from recommending it to you at once to set all the slaves free," he said, "because to do so would be a heavy loss to you and probably no gain to them; but I do entreat you to make them some amends

for the drudgery of their bodies by cultivating their minds." He advocated gradual emancipation, adding: "The free labor of a free man who is regularly hired and paid for the work he does, and only for what he does, is in the end cheaper than the eye-service of a slave." Henry and others tried to stop the importation of slaves. But all laws passed to that end were disallowed by the King of England, who drew a revenue from the business. First break the hold of the King, argued Henry; after that, let other reforms be instituted. "The disadvantages from the great number of slaves may perhaps wear off," he wrote, "when the present stock and their descendants are scattered through the immense deserts in the West. To re-export them is now impracticable, and sorry I am for it."

If Henry looked out towards Chestnut Street when he was in Carpenters' Hall, Philadelphia, as a member of the First Continental Congress, his glance must have rested upon a notable dwelling known as the Benezet house. Here lived a Frenchman who saw how good it would be for America if slavery could be destroyed. He wrote a book to that effect; Robert Pleasants sent a copy of the book to Henry, and Henry's letter acknowledging the courtesy is now in the possession of Mrs. Matthew Bland Harrison, at Red Hill. It reads:

"HANOVER, Jany 18th, 1773.

"DEAR SIR.

"I take this Oppertunity to acknowledge ye receit of Anthony Benezets Book^{s} against the Slave Trade. I thank you for it. It is not a little surprising that Christianity, whose chief excellence consists in softening the human Heart, in cherishing & improving its finer Feelings, should encourage a Practice so totally repugnant to the first Impressions of right & wrong: what adds to the wonder is, that this abominable Practice has been introduced in the most enlightened Ages. Times that seem to have pretentions to boast of high Improvements in the Arts, Sciences & refined Morality, have brought

into general Use, & guarded by many Laws, a Species of Violence & Tyranny, which our more rude and barbarous, but more honest Ancestors detested; is it not amazing, that at a time when the rights of Humanity are defined & understood with precision in a Country above all others fond of Liberty: that in such an Age and such a Country, we find Men, professing a Religion the most humane, mild, meek, gentle & generous, adopting a Principle as repugnant to humanity, as it is inconsistant with the Bible & destructive to Liberty.—

"Every thinking honest Man rejects it in Speculation, how few in Practice from consciencious Motives? The World in general has denied your People a share of its Honours, but the Wise will ascribe to you a just Tribute of Virtuous Praise, for the Practice of a train of Virtues among which your disagreement to Slavery will be principally ranked.

"I cannot but wish well to a People, whose System imitates the Example of him whose Life was perfect.—And believe me I shall honour the Quakers for their noble Effort to abolish Slavery. It is equally calculated to promote moral & political Good.—

"Would any one believe that I am Master of Slaves of my own purchase! I am drawn along by ye general Inconvenience of living without them; I will not, I cannot justify it. However culpable my Conduct, I will so far pay my devoir to Virtue, as to own the excellence & rectitude of her Precepts & to lament my want of conformity to them.—

"I believe a time will come when an oppertunity will be offered to abolish this lamentable Evil.—Every thing we can do, is to improve it if it happens in our day, if not, let us transmit to our descendants together with our Slaves a pity for their unhappy Lot, and an abhorrence for Slavery.—

"If we cannot reduce this wished for Reformation to practice, let us treat the unhappy Victims with lenity, it is the furthest advance we can make towards Justice. It is a debt we owe to the purity of our Religion to shew that it is at variance with that law which warrants Slavery. . . . I exhort you to persevere in so worthy a resolution; some of your People disagree or at least are lukewarm in the abolition of Slavery. Many treat the Resolution of your Meeting with ridicule: and among those who throw contempt on it are Clergymen, whose surest Guard against both Ridicule & Contempt is a certain Act of Assembly.

"I know not when to stop. I would say many things on this

Subject, a serious review of which gives a gloomy perspective to future times. Excuse this scrawl & believe me with esteem,

"Yr hbl. Servt,
"Patrick Henry, junr.

"Robert Pleasants."

If Henry had manumitted his slaves, and had led in an abolition movement, what would have happened? He might have triumphed in the end, but the likelihood is that he would have failed, and would have brought mischief, instead of strength, into the grand general movement for American autonomy. One thing at a time is the part of common-sense—especially when that thing involves a matter of such magnitude as the birth of a nation. Patrick Henry's battle was to prevent what he regarded as the enslavement of the white people of the new world. His discernment was not at fault when it told him that the black people must wait. It was a "gloomy perspective"; but the hour had not come to attempt the overthrow of the domestic evil.

Many Virginians besides Boucher and Henry agreed with Benezet. This was especially so after reflective minds had become imbued with Henry's thoughts, and their own answering thoughts, upon the inviolability of individual rights. Concurrently with the demand for political freedom arose the demand for religious liberty; and soon Jefferson successfully attacked the law of entail. Disenthralment was the order of the age. Men talked of great movements; and some felt that black bondage would go by the board before the end of the century. Perhaps it would have gone by the board but for one enormous happening—the French Revolution. The American Revolution did much to bring on the Revolution in France, and this, in turn, reacted upon America. On a later page we shall attempt to show how the reaction affected Henry's politics; it is enough

here to say that it interrupted some generous and noble movements, and among them that for manumission.

Henry, the "half-Quaker," as Roger Atkinson called him, was no hero in the matter of slavery; but another owner of "Scotchtown," an out-and-out Quaker, did the heroic thing, and paid a dear price for the dole of glory given him by a neglectful world. This was John Payne, father of Mrs. Madison. His conscience troubled him; like Warner Mifflin, who was the first of the Friends to manumit black people, the Hanover Quaker gave all his slaves their liberty—moved to Philadelphia, failed, sank under his troubles, and died a heart-broken man.

At this pivotal period there was a break in Henry's health. In the summer and fall of 1776, malarial fever kept him in bed at "Scotchtown" for several weeks. We hear much of the ague, or "chills and fever," in connection with the Virginia lowlands. The contrast between the sallow skin of the tidewater people and the ruddy faces of the mountaineers was remarked by the Marquis de Chastellux, a wholesome-minded Frenchman, one of the Forty Immortals, who loved America, who liked to travel here, and who knew what not to see and say as well as what to set forth in his charming pages. These pages go far to prove that the Eighteenth Century quill had more flexibility than the modern pen; but, however that may be, there was much flexibility, much grace, much wit, in our ally's letters—even if he did make the rabbits of Patrick Henry's country climb trees. Parts of lower Hanover are underlaid with a stratum of blue clay, which holds water as in a basin. This water stagnates, showing a green scum. Or it evaporates, and at times white mists arise. McClellan's men could not throw off the malarial enemy that enveloped them in the Chickahominy region, and they fell in thousands under its noiseless night

assaults. Even acclimated dwellers in the low parts eat quinine out of the hand as they do sugar. Henry had no quinine. In that day rum with red pepper, rum with garlic, rum with many other ingredients, took its place. But the malarial country has its lush beauty when it comes to trees, vines, and flowers, and the enemy dies at the first touch of frost. Therefore the Hanover lowlands were braved by the colonial settlers, and even the "chills" seemed to be good in that they gave excuse for importing more Madeira, and more Madeira still.

Apparently Henry was never quite so sure of his health after this attack as he had been prior to his prostration. He longed for the mountains—the wilderness. There was a great deal of Daniel Boone's nature in him. So, though he loved Hanover, he soon left the north side for the south side of the James. Once he contemplated a return to his native county; but he moved in another direction, and hereafter we are to find him identified with the south-western parts of Virginia. "He had a real talent in making bargains," wrote Spencer Roane. "Scotchtown" had cost him but £600. How he sold it is thus mentioned in the narrative of Nathaniel Pope:

"I have been informed that Mr. Henry advanced his Fortune very considerably by an advantageous sale of his seat in Hanover called 'Scotchtown' to Colonel Wilson Miles Cary, when a number of wealthy citizens from the neighborhood of Williamsburg and York, apprehending danger from the enemy, removed to this county and very much enhanced the price of land."

XII

AS A CONSTRUCTIVE STATESMAN

HARDLY had Henry got rid of his uniform and looked around awhile among his neighbors, when the appreciative freeholders of Hanover delegated him to go with his half-brother, Syme, to the Convention then soon to be held. It was clear that vital happenings must hinge upon the acts of this Convention; hence contests for seats therein enlivened some of the court-house greens. Independence was the leading issue. Charlotte County was urgent and specific in its demand for an immediate declaration, thus voicing a fresh and fiery sentiment as wide-spread as the Union itself.

Henry's own position on independence was peculiar. Remembering his prophetic utterance about it at Colonel Overton's two years before, we have his personal, but not his public, opinion. At heart he was like Samuel Adams, and like John; but, unlike John Adams, he was guarded in his expressions. "It is questionable," writes Herbert Friedenwald, in his "Declaration of Independence," "whether such avowed radicals as John and Samuel Adams, Jefferson and Patrick Henry, would have advocated independence in earnest at this time (1774), had the opportunity been favorable. To speak loosely, as they did, to the effect that if matters did not take a turn for the better, independence was the inevitable outcome, was far different from establishing a definite, concerted plan having that aim in view. They were too skilled as politicians to be the upholders of a policy that would have damned at the outset the cause into which they had thrown themselves body and soul." Time must pass, and changes must come; and

time did pass. Two years later, speaking of "inveterate prejudices and long-established systems," John Winthrop said: "Perhaps it may be best to accomplish this great affair [independence] by slow and almost imperceptible steps, and not, *per saltum,* by one violent exertion." So Henry thought; and in no other matter connected with the progress of the Revolution was he so downright Fabian. Indeed, he seems to have permitted himself to get into one of those reflux currents common to strategic thinkers. Is it allowable to say that near him at this time, also rowing with too nice a stroke, was John Dickinson, who wished "things to be deliberately rendered firm at home and favorable abroad" before a declaration should be made? In Dickinson's view, the erection of an independent republic would be a phenomenon in the world; "its effects would be immense, and might vibrate round the globe." Why not at least wait until France should express herself? An agent had been sent to Versailles to sound his Most Christian Majesty on the subject. Would it not be discourteous to precipitate action before his answer should come? Dickinson's opposite in character, General Charles Lee, who affected to love dogs because they were faithful and despise men because they were not, wrote from Williamsburg to Richard Henry Lee:

"Pendleton is certainly naturally a man of sense, but I can assure you that the other night, in a conversation I had with him on the subject of independence, he talked or rather stammer'd nonsense that would have disgraced the lips of an old midwife drunk with bohea tea and gin. . . . For God's sake, why do you daudle in the Congress so strangely—why do you not at once declare yourselves a separate independent State? . . . I wish you wou'd kuff Doctor Rush for not writing."

General Lee called on Patrick Henry, and next day wrote to him:

"The objection you made yesterday, if I understood you rightly, to an immediate declaration, was, by many degrees, the most specious—indeed, it is the only tolerable one—I have yet heard. You say, and with great justice, that we ought previously to have felt the pulse of France and Spain. . . . Your idea that they [the French] may be diverted from a line of policy which assures them such immense and permanent advantages by an offer of partition from Great Britain, appears to me, if you will excuse the phrase, an absolute chimera."

Possibly this "chimera" had been put into Henry's head by Richard Henry Lee. The two friends frequently unbosomed themselves to each other, and their letters were filled with patriotic confidences. Of the pending Convention, R. H. Lee wrote: "Ages yet unborn, and millions existing at present, must rue or bless that Assembly, on which their happiness or misery will so eminently depend." He wished Virginia to take the lead, rouse America, and set up a model government. America should first declare independence, and then seek alliances. Otherwise European nations would not budge. "Honor, dignity, and the customs of states forbid them until we take rank as an independent people." Henry replied: "Your sentiments as to the necessary progress of this great affair correspond with mine. For may not France . . . be allured by the partition you mention? To anticipate, therefore, the efforts of the enemy by sending instantly American Ambassadors to France seems to me absolutely necessary. . . . But is not a confederacy of our States previously necessary?" In a letter to John Adams, Henry said:

"Excuse me for telling you of what I think of immense importance; 'tis to anticipate the enemy at the French Court. The half of our Continent offered to France may induce her to aid our destruction, which she certainly has the power to accomplish. I know the free trade with all the States would be more beneficial to her than any territorial possessions she

might acquire. But pressed, allured, as she will be—but, above all, ignorant of the great things we mean to offer, may we not lose her? The consequence is dreadful. Excuse me again. The Confederacy! That must precede an open declaration of independency and foreign alliances. Would it not be sufficient to confine it, for the present, to the objects of offensive and defensive nature, and a guaranty of the respective colonial rights? If a minute arrangement of things is attempted . . . you may split and divide; certainly will delay the French alliance, which with me is everything."

We who at this day read of the anxieties of these Revolutionary pilots are apt to misjudge them, smiling at what seems to be their supersubtlety—their needless fear. It is 1776, and we wonder why so much pother should be made over independence, which, in our minds, was a foregone conclusion as long ago as Lexington. But the truth is that few Americans thought of independence until the bloodshed at and after Bunker Hill had solemnized them into grimness. Then it was that men of the character of General Greene realized that the States must declare themselves free, "and call upon the world, and the great God who governs it, to witness the necessity, propriety, and rectitude thereof." But even Bunker Hill was insufficient to obliterate the idea that America would ultimately return to British allegiance. Even the "Act declaring the Colonists out of the King's protection"—which John Adams wittily called a British Declaration of American Independence—was insufficient. It was a sudden and unpreconcerted conflux of events that intensified the issue, making it paramount in the public mind. With the New Year, Washington unfurled the Union flag. On the 7th of January, Congress heard of the King's war speech and the threat to use Hessian troops; on the 8th, it learned of the arrival of British reinforcements and of the burning of Norfolk; on the 10th, it became aware of the presence in the city of something as noiseless in its

approach as the snow-flakes that fell around Independence Hall. This was Thomas Paine's pamphlet, "Common Sense." "In the course of this winter," writes John Adams, "appeared a phenomenon in Philadelphia, a disastrous meteor; I mean Thomas Paine." Then Adams ungenerously proceeds to belittle Paine; but whatever Paine's personality, it is a simple truth that his "Common Sense" quickened the mind of the people throughout America and helped more than anything else to bring on the Declaration. The man for whom General Lee bespoke a "kuff," Dr. Benjamin Rush, says of Paine: "He wrote his 'Common Sense' at my request. . . . He read the sheets to me at my house as he composed them. . . . Mr. Paine proposed to call it 'Plain Truth.' I objected to it, and suggested the title of 'Common Sense.' . . . The author and the printer (Robert Bell) were immediately brought together, and 'Common Sense' burst from the press of the latter in a few days, with an effect which has rarely been produced by types and paper in any age or country." Turning the pages of John H. Hazleton's "Declaration of Independence," one sees multitudes of allusions to it in letters of the time. Recalling a patriotic pun of '76, it began to be popular to have "a Paine in the head." Most people accepted the final sentence in "Common Sense" as their own conclusion: "Until an independence is declared, the Continent will feel itself like a man who continues putting off some unpleasant business from day to day, yet knows it must be done, hates to set about it, and is continually haunted with the thoughts of its necessity."

If Henry were marking time for caution's sake, he might now step forward. The people were coming up abreast of him. If he had slipped into a state of dubitation while pondering over the logical order of events —union, alliance, avowal of nationality—it was time

for him to make light of these things, to regain his swing, his daring, his spirit of leadership.

The fifth, the final, and by all odds the most famous Virginia Convention met in the Hall of the House of Burgesses at Williamsburg on the 6th of May. The Capitol was crowded. Looking down from the gallery, the fair patriots who packed it saw one hundred and twenty-eight representative men—the pick of all the counties. As a rule, they were tall men; but one who would appear in a few days was called "the great little Mr. Madison." Do the older gladiators glance at the striplings when they enter the arena? If so, Henry's prescience must have made him look hard at this young man of twenty-five. By the same token, he should have looked at another—Edmund Randolph, twenty-three, six feet tall, "the most promising scion of a stock which had been from time immemorial foremost in the colony." A few of the men were clad in velvet, with powdered wigs; but homespun and buckskin were the rule. John Esten Cooke, writing of this same assembly, says that Henry "wore buckskin short clothes, yarn stockings, and a wig without powder." Some of the delegates, as Grigsby notes, clung to the cocked hat; some held hunting caps in their hands; others more airily twirled their London conicals. Madison was left bareheaded by the theft of his conical hat from the hall of a Williamsburg house where he was visiting, and knew not where to get another. Swords were out of fashion, but it was war-time and many of the delegates from the upper counties were armed.

In looking down from the gallery, it was seen that no one sat in the red-curtained chair on the dais. Peyton Randolph, its customary occupant, was dead. Colonel Richard Bland, almost blind from age and much study, realized that the seat needed to be filled; so, rising, he nominated his friend Pendleton. Archibald Cary,

another supporter of Pendleton as against Henry, seconded the nomination. Now, Henry had decided to let by-gones be by-gones; and he had determined not to antagonize Pendleton, seeing that the work of the Convention was to be constructive, and that unity of action was a prerequisite to success. To him the Committee of Safety was a failure. Better government was needed. But he could not control certain spirits in the Convention. "Up to this moment," says Grigsby, "although much dissatisfaction with the conduct of the Committee of Safety had been expressed privately and in print, it was not certainly known that there would be a formal contest for the chair. But all doubt was instantly dispelled when Johnson of Louisa appeared on the floor. The county from which he came, the very name which he bore, settled the question. It was the county of Louisa which Henry represented when he offered his resolutions against the Stamp Act. . . . Of all the opponents of the party of Pendleton for the past ten years, the Johnsons were the most ardent and uncompromising. They were men of fierce temperament, and were utterly fearless in the expression of their opinions. As a friend of Henry, Thomas Johnson felt acutely the indignity with which it was urged he had been treated by the Committee of Safety, and he was unwilling that Pendleton, whom he held bound for the action of the Committee, and who was then at its head, should so soon receive so signal a mark of public favor. He proposed Thomas Ludwell Lee for the chair, and was sustained by Bartholomew Dandridge. But here, as throughout a life protracted far beyond the limit of the Psalmist, and spent to its latest hour in the public service, the fortunate star of Pendleton prevailed. He was reëlected." Grigsby further notes "the scrupulous care" with which Pendleton, in his address of thanks, "kept out of sight

the subject of independence, which he well knew the party of Henry intended to bring forward."

"The party of Henry" was never better led than now. It coöperated with Pendleton in all pressing matters, and did not raise its voice for independence until the 14th of May, when the delegates were free to give the measure their full and solemn consideration. Then, in Committee of the Whole, at Henry's request, General Thomas Nelson introduced some "rough resolutions" (still preserved, in Henry's handwriting) enjoining the Virginia delegates in Congress "to procure an immediate, clear, and full Declaration of Independency." The preamble gave the reasons. Two other sets of resolutions were offered, each declaring Virginia independent, but omitting any reference to Congress. Finally, during the debate, which lasted two days, Pendleton put together a set of fresh resolves, and on the 15th these were adopted without dissent. The Virginia delegates in Congress were "instructed to propose to that respectable body to declare the United Colonies free and independent States." Under the same resolves, a committee was appointed to prepare a Declaration of Rights and frame a government for Virginia. Young Randolph, who must have followed the proceedings with the keenest interest, says:

"When the disposition of the peoples as exhibited by their representatives could not be mistaken, Henry had the full indulgence of his own private judgment, and he concerted with Nelson that he (Nelson) should introduce the question of independence, and that he (Henry) should enforce it. Nelson affected nothing of oratory, except what ardent feelings might inspire, and, characteristic of himself, he had no fears of his own with which to temporize, and supposing that others ought to have none, he passed over the probabilities of foreign aid, stepped lightly on the difficulties of procuring military stores and the inexperience of officers and soldiers, but pressed a Declaration of Independence upon what with him were incon-

trovertible grounds; that we were oppressed, had humbly supplicated a redress of grievances which had been refused with insult, and that to return from battle against the sovereign with the cordiality of subjects was absurd. It was expected that a Declaration of Independence would certainly be passed, and for obvious reasons Mr. Henry seemed allotted to crown his political conduct with this supreme stroke. And yet for a considerable time he talked of the subject as critical, but without committing himself to a pointed avowal in its favor or a pointed repudiation of it. He thought that a course which put at stake the lives and fortunes of the people should appear to be their own act, and that he ought not to place upon the responsibility of his own eloquence a revolution of which the people might be wearied after the present stimulus should cease to operate. But after some time he appeared in an element for which he was born. To cut the knot which calm prudence was puzzled to untie was worthy of the magnificence of his genius. He entered into no subtlety of reasoning, but was aroused by the now apparent spirit of the people. As a pillar of fire, which notwithstanding the darkness of the prospect would conduct to the promised land, he inflamed and was followed by the Convention. . . . His eloquence unlocked the secret springs of the human heart, robbed danger of all its terror, and broke the keystone in the arch of royal power."

Cooke, writing of the Convention, says: "It is certain that he [Henry] swayed every assembly that he addressed, apparently at his pleasure. Whenever he was fully aroused, he overthrew all opposition, and forced his listeners as from a species of magnetism to accept his views as the only true ones. . . . His wonderful oratory made him a thousand times the superior" of the old nabobs. "By common consent of all his contemporaries, his eloquence was indescribable." It would be interesting to know just what happened in Henry's mind when he leaped from cold to hot in this great address in the Independence Convention. Had he a struggle with himself? Did he wish to so manage the great colonial procedure as to win France and bind the confederacy tighter before

declaring for American sovereignty? Did he suddenly sweep this from him in the heat generated by his own thoughts, and see that the thing to do was to go the full length then and there? Or was he acting? Did he purposely beat about the bush at the beginning in order that when he struck his game, his cry might startle, stir, and awaken responsive shouts? He was a great hunter. He was a great actor. But he was also an exceedingly considerate, modest, and deferential man among men. Therefore it is impossible to point precisely to his springs of action in this instance. We know that General Nelson, with the resolves in his pocket, made off for Philadelphia; that General Washington, who happened to be there, was much gratified; that Richard Henry Lee moved in Congress "that these United Colonies are, and of right ought to be, free and independent States"; that Thomas Jefferson wrote a Declaration in every way worthy of the theme, and that Congress put upon it the seal of its approval. It may be that for purposes of policy New England waited for Virginia to lead in the matter of independence, and it is a fact that North Carolina, whence arose the mooted Mecklenburg Declaration, was a month ahead of Virginia in authorizing her delegates to "concur" with other delegates; but Henry's State was the first to face and force the issue.

Now at last the British flag was hauled down from above the Capitol in Williamsburg, and the Union flag took its place. The troops paraded before General Lewis, who was soon to crush Dunmore, and then soon to die of the same malarial fever we have mentioned. Artillery boomed; toasts were drunk; and at night the city was illuminated.

Such was the first achievement of the great Convention. Its out-turn thereafter was to be still more notable. Its committees met at seven in the morning; the Conven-

tion itself at nine, adjourning at five in the afternoon. Much night-work was done. Grigsby credits Henry with important service in this particular. He says: "Nor was the influence of Henry, as has been too generally believed, confined to public debate. He was as effective in the committee-room as on the floor of the house. In both spheres his honesty and intrepidity were the sources of his success. Everybody saw that he was sincere, and that he did not belong to a class not uncommon in revolutions who are disposed to cling to the powers that be with one hand, and to the people with the other. There was something fascinating in the boldness with which he planted himself on the extreme frontier of public rights." In view of such testimony, is Gaillard Hunt justified in saying, as he does in his "Life of Madison": "The Convention was a body with constructive work before it, and Henry's genius lay not in that direction. The power he exerted in the proceedings of the Convention was not as great as that which had swept along with him before or which he exercised afterwards upon successive Legislatures of the State"? This seems to us to be in line with the Jeffersonian idea of Henry rather than a conclusion tallying with the truth. Many facts are to be considered.

It was decided by the delegates that if the Convention had the power to declare independence—"the highest act of sovereignty"—it could also organize a permanent government. Hence some thirty committeemen, of whom Henry was one, set about the task of drafting a Bill of Rights and of framing a written Constitution. Thomas Ludwell Lee's idea that Congress should suggest a uniform model, to be adopted by all the States, found slight favor. There was a feeling abroad that Virginia herself could best originate a plan and pattern. The experiment was new in the world and of vast import to all mankind. Several of the delegates at Philadel-

phia were deeply interested in the undertaking. Richard Henry Lee and George Wythe talked with John Adams about it; whereupon Adams wrote a pamphlet, "Thoughts on Government," which was printed and sent to Henry. Lee also formulated a plan for Henry, who caused "A Government Scheme" to be printed in Purdie's *Gazette* at Williamsburg—whether his own or Lee's is uncertain, since no copy now exists. But another plan of government came down from Philadelphia—the Carter Braxton plan. Meantime, Meriwether Smith offered a skeleton scheme; and finally, on the eve of adjournment, Wythe appeared, bearing upon his travel-stained person a "bill" from the pen of Thomas Jefferson.

For at least five days following the adoption of the Independence resolves Henry probably had a heightened sense of his responsibility as a republican leader. He was the acknowledged antagonist of the aristocratic party, and it was his business to see that no aristocratic ideas should find place upon the protocol. That he had reason to be watchful is shown by a glance at the Carter Braxton project, which sketched out a little kingdom, to be a pattern for other little kingdoms on these Columbian shores. There was to be a Lower House, elected for three years; an Upper House of twenty-four life Senators; and a Governor elected for life. His Excellency was to be a creator of judges and other officials. In contrast with this was the Adams plan: a House elected by the people every year; a Senate elected by the House for one year; and a Governor elected annually on joint ballot. The Senate was to have "a negative on the Lower House," and the Governor a veto on both. Judges were to be chosen by the Legislature. Let us see how Henry felt on Monday, the 20th of May, when he sent two letters North—one to Richard Henry Lee, the other to John Adams. In the Lee letter, he says:

"The grand work of forming a Constitution for Virginia is now before the Convention, where your love of equal liberty and your skill in public counsels might so eminently serve the cause of your country. Perhaps I am mistaken, but I fear too great a bias to Aristocracy prevails among the opulent. I own myself a Democrat on the plan of our admired friend, J. Adams, whose pamphlet I read with great pleasure. A performance from Philadelphia is just come here, ushered in, I'm told, by a colleague of yours, B——, and greatly recommended by him. I don't like it. Is the author a Whig?—one or two expressions in the book make me ask. I wish to divide you and have you here, to animate by your manly eloquence the sometimes drooping spirits of our country, and in Congress, to be the ornament of your native country and the vigilant, determined foe of Tyranny. To give you colleagues of kindred sentiments is my wish. I doubt you have them not at present. . . . Vigor, animation, and all the powers of mind and body must now be summoned and collected together in one grand effort. Moderation, falsely so called, hath nearly brought on us final ruin. And to see those who have so fatally advised us still guiding, or at least sharing, our public counsels alarms me."

In his letter to Adams, he speaks at once of the pamphlet:

"I am exceedingly obliged to you for it; and I am not without hopes it may produce good here, where there is among most of our opulent families a strong bias to Aristocracy. I tell my friends you are the author. Upon that supposition I have two reasons for liking the book. The sentiments are precisely the same I have long since taken up, and they come recommended by you. Go on, my dear friend, to assail the strongholds of tyranny. . . . Our Convention is now employed in the great work of forming a Constitution. My most esteemed republican form has many and powerful enemies. A silly thing, published in Philadelphia, by 'A Native of Virginia,' has just made its appearance here, strongly recommended, 'tis said, by one of our delegates now with you—Braxton. His reasonings upon and distinction between private and public virtue are weak, shallow, and evasive, and the whole performance an affront and disgrace to this country; and, by one expression, I suspect his Whiggism.

"Our session will be very long, during which I cannot

count upon one coadjutor of talents equal to the task. Would to God you and your Sam Adams were here!"

At this point several faithful biographers of several famous men throw up their hands in protestation. How could Henry write such a thing—the considerate and unvaunting Patrick? In truth, it was one of the rare indiscretions of Henry to thus lament the lack of coadjutors; but, as we have intimated, he was under a strain. Besides, he had no idea that young Madison would prove a star of the first magnitude; nor did he suspect that there was something in the pocket of his friend George Mason infinitely more precious than all the golden guineas he had ever jingled there.

Mark well that the letter was written on Monday, and mark well that Mason had not taken his seat in the Convention until the Saturday before. He had developed no plan publicly. Probably Henry had not talked with him; possibly he had not even noted his presence in the hall; at any rate, it was still to be disclosed that the "Planter Statesman" was the genius of the hour.

He was a genius with the gout, and it was a fit of the gout that had kept him at home so long. A six-footer, sinewy, active, brown-skinned, his black eyes "burned with the brightness of youth." There was gray in his hair, which was as "black as that of Charles II., whom his ancestors had sustained on the bloody field of Worcester." But our scion of the cavaliers was a democrat after Henry's own heart—"a man of the first order of wisdom among those who acted on the theatre of the Revolution, of expansive mind, profound judgment, cogent in argument, learned in the lore of former constitutions." The tribute is Jefferson's, who tells us also that when he spoke, "his language was strong, his manner most impressive, and strengthened by a dash of

biting cynicism, when provocation made it seasonable." When he grew old, an opponent said of him that "Colonel Mason's mind was failing him from age." "When *his* mind fails him," commented Mason, "no one will ever discover it."

"We are now going upon the most important of all subjects—government!" wrote Mason, the day after his arrival at Williamsburg, addressing Richard Henry Lee. "The committee appointed to prepare a plan is, according to custom, overcharged with useless members. You know our Convention. I need not say that it is not mended by the recent elections. We shall in all probability have a thousand ridiculous and impracticable proposals, and of course a plan formed of heterogeneous, jarring, and unintelligible ingredients. This can be prevented only by a few men of integrity and ability, whose country's interest lies next their hearts, undertaking this business and defending it ably through every stage of opposition."

There is no doubt whatever that the course thus outlined was the one actually pursued. Mason and Henry stood together. The first debate was over the Declaration of Rights—"the basis and foundation" of the government. William Wirt Henry surmises that "Colonel Mason's draft was brought forward after others had been presented," and that "it embodied their best features." Miss Kate Mason Rowland, in her "Life of George Mason," says that Mason took with him from "Gunston Hall" to Williamsburg a draft of the bill subsequently proposed by him. An original of a tentative draft, mainly in the handwriting of Mason but partly in that of Thomas Ludwell Lee, is in the possession of the State of Virginia, together with a copy of the bill as adopted, this latter being wholly in Mason's hand and endorsed by him as follows: "This Declaration of Rights was the first in America; it received few

alterations or additions in the Virginia Convention (some of them not for the better), and was afterwards closely imitated by the other United States." In a letter to his cousin, Colonel George Mercer, Mason subsequently wrote: "I enclose you a copy of the Declaration of Rights just as it was drawn and presented by me to the Virginia Convention, where it received few alterations, some of them I think not for the better." But the authorship of two of the sixteen articles in the Bill of Rights has been attributed to Henry. Hence a controversy has arisen. Miss Rowland avers that "a denial of them to Mason would invalidate equally his authorship of the remaining articles. And it is significant," she adds, "that the claim made in this connection for Patrick Henry is based solely on a misleading reminiscence of the same historian [Edmund Randolph], who elsewhere declares that while 'many projects of a Bill of Rights and Constitution' were brought forward, 'that proposed by George Mason swallowed up all the rest, by fixing the grounds and plan' of the two papers subsequently adopted." What Randolph wrote was: "That proposed by George Mason swallowed up all the rest, by fixing the grounds and plan which after great discussion and correction were finally ratified." There was great discussion and there was correction. Mason himself did not think much of the changes made in his bill; but that they were made he testifies frankly. Why Miss Rowland should speak of a "misleading reminiscence" is not clear. Randolph saw with his own eyes and heard with his own ears the whole proceeding, from the moment the business began until it ended, on the 12th of June, when the bill was adopted. He noted the attack of the aristocrats on the declaration in the first article that "all men are by nature equally free and independent"; and when we recall that he had almost broken his own heart in severing himself from his Tory

father, we can realize with what zest and fascination he must have watched the progress of the bill as it passed, section by section, through the ordeal to which it was subjected. He says: "The fifteenth, recommending an adherence and frequent recurrence to fundamental principles, and the sixteenth, unfettering the exercise of religion, were proposed by Mr. Henry. The latter, coming from a gentleman who was supposed to be a dissenter, caused an appeal to him, whether it was designed as a prelude to an attack on the established church, and he disclaimed such an object." The article secured religious liberty to all people, "unless under the color of religion any man disturb the peace." Madison took out the word "toleration," and otherwise verbally improved the article, but the sense remained practically the same. To Henry, therefore, great credit goes. "To him," as William Wirt Henry declares, "we are indebted for the article in the Virginia Bill of Rights securing Religious Liberty, and for the first Amendment to the Federal Constitution embodying the same principle. . . . He seemed, as it were by intuition, to know when the popular mind was ready for every political movement, and he never made a mistake as to the proper time to take a step in advance. The adoption of this principle as the chief corner-stone of American government, and its subsequent progress in other portions of the world, indicating that it is destined to become all-prevailing as Christian civilization advances, with the inestimable blessings which flow from it, make Mr. Henry's act in causing its insertion in the Virginia Bill of Rights the most important of his life. If it had been the only act of his public life, it was sufficient to have enrolled his name among the greatest benefactors of the race."

The same writer points out that in drafting the Constitution—"the first written Constitution of a free state

in the annals of the world"—Mason was considerably influenced by the Adams plan as championed by Henry. The struggle over the ordinance of government lasted from the 12th to the 28th of June. Randolph says:

"No member but Henry could, with impunity to his popularity, have contended as strenuously as he did for an executive veto on the acts of the two houses of legislation. Those who knew him to be indolent in literary investigations were astonished at the manner in which he exhausted the topic, unaided as he was believed to be by any treatises on government except Montesquieu. Among other arguments, he averred that a Governor would be a mere phantom, unable to defend his office from the usurpation of the Legislature, unless he could interpose a vehement impulse or ferment in that body, and that he would otherwise be ultimately a dependent, instead of a coordinate, branch of power."

Again Randolph gives us a glimpse of Henry at work: "An article prohibiting bills of attainder was defeated by Henry, who, with a terrifying picture of some towering public offender, against whom ordinary laws would be impotent, saved that dread power from being expressly proscribed."

And so the great work progressed to its completion. Was not Henry as apt, as ready, as zealous in constructive effort as he had been in destroying the old order of evil? Not that he is entitled to primacy in this matter—not by any means; but he certainly bore a great part. Mason's fame is splendid enough without the added laurel of another. He does not need a monopoly of the glory attaching to an act that marked "a new era in the history of government." How much nobler it is to figure as the chief man among many men of merit than to seek to dwarf one's fellows—to be the be-all and the do-all! But Mason himself had no such thought. "The texture of his mind was essentially republican," says Grigsby. To Mason, government

was "the most important of all subjects." It was an enthusiasm with him—this profound study of a science that had sweetness in it for man if it could be rid of kingcraft and the thousand bitternesses flowing therefrom. Speaking of the Bill of Rights, Grigsby says: "The critical eye can detect in its sixteen sections the history of England in miniature." And here, finally, is the eloquent tribute to Mason by William Cabell Rives:

"When we look at the Declaration of Rights prepared by him, and which, with a few alterations, was adopted by the Convention, we shall find it a condensed, logical, and luminous summary of the great principles of freedom inherited by us from our British ancestors, the extracted essence of Magna Charta, the Petition of Rights, the acts of the Long Parliament, and the doctrines of the Revolution of 1688 as expounded by Locke—distilled and concentrated through the alembic of his own powerful and discriminating mind. There is nothing more remarkable in the political annals of America than this paper."

XIII

AS AN EXECUTIVE—FIVE TIMES GOVERNOR

"THE egotism of human nature will seldom allow us to credit a man for one excellence without detracting from him in other respects; if he has genius, we imagine he has not common sense; if he is a poet, we suppose that he is not a logician." So says Brougham; and in this connection we are reminded of the gratuitous assumption on the part of sundry writers that Henry must have lacked executive as well as military capacity. He had not been permitted to show what stuff he was made of when it came to the business of outwitting or outfighting the enemy, but in the turn of events he was now given an opportunity to prove his fitness for administering the affairs of the new Commonwealth.

When his friends brought him forward as a candidate for Governor, Henry took the ground that "the office was neither to be sought nor refused." He saw clearly that the new government would be exposed to "numberless hazards and perils," and that if it should succeed, it "must be guarded by an affectionate assiduity and managed by great abilities." These are his own words. The Pendleton men pushed the candidacy of Thomas Nelson, and pushed it hard; but, says Randolph, "from every period of Henry's life something of a democratic and patriotic cast was collected, so as to accumulate a rate of merit too strong for this last expiring act of aristocracy." The vote stood: Henry, 60; Nelson, 45; Page, 1. Long afterwards, in Judge Spencer Roane's presence, Pendleton "justified himself for not offering for the office of Governor in 1776, on the ground that he did not think it became those who pushed the

Revolution to get into the first offices, and that on that ground he voted for Secretary Nelson. On which," adds Roane, "feeling that the remark was aimed at Mr. Henry, I replied that we should have cut a pretty figure if that office had been given to a man who was no Whig; as Mr. Nelson was said to have been." There is spice here—a sarcasm at Henry's expense. American politics was cradled in dispute.

Thus it was that Henry began a long State service, declining in the course of it to go back to the Continental Congress. His executive problems were numerous and varied. Democratic precedents were to be set. Tact would be called for in dealing with the sister States. Henry, who knew that he had enough to do, proceeded to do it so well that he was reappointed on May 30, 1777, and reëlected in the spring of 1778, retiring on the first of May, 1779, because no Governor could succeed himself for a fourth consecutive term. But having led the Assembly in the interval, he was chosen Governor once more on November 17, 1784, and reëlected in 1785. Indeed, he was made Governor in 1786, and even as late as 1796, but declined to serve. Let us remember that during the ten years when he was either the executive head or the legislative leader, self-governing democracy was new to itself in Virginia, and that some of the horses were hard to hold.

Democracy was so new to itself that it looked with interest upon the scarlet cloak Governor Henry wore when, having taken the oath of office on the 5th of July, 1776, he moved into the "palace" at Williamsburg. But his scarlet cloak, black small-clothes, and dressed wig had a meaning. The wearer, says Judge Roane, "had been accused by the big-wigs of former times as being a coarse and common man, and utterly destitute of dignity, and perhaps he wished to show them that they were mistaken." He must have been pleased with

some of the congratulatory addresses and letters received by him, especially one from the growing community of Baptists, and another signed by all the officers of the First and Second regiments, save Colonel Woodford. No doubt he was amused by a letter dated Charleston, S. C., which began: "I used to regret not being thrown into the world in the glorious third or fourth century of the Romans, but I am now thoroughly reconciled to my lot." It was from General Charles Lee, whose crowning woe was to come on Monmouth battlefield, but who affected to be troubled now because people used such terms as "his Excellency" or "his Honor" when they addressed a simple citizen in a scarlet cloak, with a "palace" for his dwelling-place. "Yes," wrote Lee, "there is a barbarism crept in among us that extremely shocks me. I mean those tinsel epithets with which (I come in for my share) we are so beplastered—'his excellency,' and 'his honor,' 'the honorable president of the honorable Congress' or 'the honorable Convention.' . . . For my part, I would as lief they would put ratsbane in my mouth as the 'excellency' with which I am daily consumed."

The "palace" where Henry dwelt was "lavishly ornamented within and without," and had extensive grounds, gardens, and outhouses—among them two offices. The reception-room, "running half the front and the entire depth of the building," was less needed by the democratic Henry than it had been by the lordly Botetourt, or by John Murray, Earl of Dunmore. Professor Tyler scents poetic retribution in the picturesque fact that the man who led the gunpowder party now had it in his power to write proclamations against Dunmore at the same desk from which Dunmore had fulminated against "a certain Patrick Henry, of Hanover County." But Dunmore's day was done. This very month he would be slipping out between the Capes, never to return.

On the 8th of July, General Andrew Lewis, who had crushed Cornstalk on the border, put his heel on the remnant of Dunmore's band at Gwinn's Island, by Chesapeake side; and for three years Virginia was free from all save petty invaders who played the pirate along the river shores.

Henry, with his Privy Council, of which John Page was President, went to work with a will. In attestation of this, and of the manifold duties performed, are the official records still to be seen in the State Library. One has but to turn the pages of the folios there to satisfy himself that if Henry did not roll up his sleeves, he at least deserved the pay he got—a thousand pounds a year. His letter books for '76, '77, and '78 are not to be found, but the Executive Journal, missing for 1779, is nearly complete for the first three years of his gubernatorial service. We cannot undertake to squeeze out of these dry details the sweat that Henry and his councillors put into them, nor should we have dwelt upon them at all save for the purpose of proving that he could pin himself down to irksome labor. Note that the State had in it 400,000 people—half of them white; that the ship had to be driven along with every sail brand-new, and that the old beacons and buoys had been obliterated by the storm of war. As an instance of the onerous nature of the work: Many claims were entered against the State, and it was incumbent upon Henry and his helpers not only to pass upon the warrants, but, for lack of an auditor, to keep record of them. There was a salt famine, and there was a scarcity of medicine; so a fleet of sloops had to be sent off to the West Indies to obtain supplies of these necessaries. There was much other public business to be done; and we may be sure that Henry also felt it to be a part of his duty to watch the progress of political events. It has been mentioned that his health broke in the summer

of 1776. He was at Williamsburg when the first republican Legislature met there on the 7th of October, but on the 30th "the Speaker laid before the House a letter from the Governor, informing him that the low state of his health rendered him unable to attend to the duties of his office, and that his physicians had recommended him to retire therefrom into the country till he should recover his strength." He was away three weeks; and meantime something important happened.

Jefferson suddenly appeared in the Assembly and became its dominating figure. Having "poured the soul of the Continent into the monumental act of Independence" (as Ezra Stiles expressed it), the rising statesman —able, amazingly energetic, fired afresh with high ambition—turned his back upon Congress, and began to busy himself with vital problems in Virginia. He wished to rid the statute-books of outworn laws, and bring the code into harmony with the new spirit and the new conditions. He struck hard at primogeniture. There were fierce contests in the Old Capitol, and they ended favorably for Jefferson. By the abolition of the law of entails, aristocracy was given its finishing stroke. By the exemption of dissenters from the payment of taxes for the support of the Established Church, a forward step was taken towards the law enacted nine years later, establishing religious freedom.

Grigsby thinks that no man living save Jefferson "would have dared to grapple, at one and the same time, with the laws of primogeniture, of entails, and of an established church, and to seek their instant and unconditional overthrow. Boldness in this instance was the height of wisdom. Had he postponed his assaults until the filaments of prejudice which had been broken by the Declaration of Independence had begun to reunite, nothing short of a new revolution would have rent them asunder."

Beyond doubt Jefferson's work in November, 1776, was a master-stroke. He loomed all the larger because Henry was absent; and he led in the Assembly with immunity from challenge because Mason had not as yet come down from Fairfax. Our lordly democrat of "Gunston Hall" was not averse to visits from sergeants-at-arms. On this occasion, as on others, he had to be sent for, and was lugged before the dais that he might exculpate himself, school-boy fashion—perhaps laying his truancy to a siege of the gout. But as Jefferson had been beforehand in clearing the way for reform, he was doubtless glad to see so fine an ally. Like Pendleton, Wythe, and Thomas Ludwell Lee, Mason joined hands with Jefferson, and each bore an important part in recasting the laws of the Commonwealth. Nor would it be just to the adherents of the Established Church if we should fail to pause here for a moment to remark upon a certain nobility of theirs when Jefferson grappled with them to lay them low. They were patriots. They were apprehensive lest a local religious struggle within the grander secular struggle should hurt the cause of America. "They therefore did in truth cast the Establishment at the feet of its enemies."

In these things just outlined we have been telling of Jefferson the Great; now immediately, as it happens, we come to speak of Jefferson the Little. In his "Notes on Virginia," written five years later, Jefferson said:

"In December, 1776, our circumstances being much distressed, it was proposed, in the House of Delegates, to create a Dictator, invested with every power, legislative, executive, and judiciary, civil and military, of life and death over our persons and over our properties. . . . One who entered into this contest from a pure love of liberty, and a sense of injured rights, who determined to make every sacrifice and meet every danger, for the re-establishment of those rights on a firm basis . . . must stand confounded and dismayed when he is told that a

considerable portion of 'the House' had meditated a surrender of them into a single hand, and, in lieu of a limited monarchy, to deliver him over a despotic one. . . . The very thought alone was treason against the people. . . . The advocates of this measure . . . had been seduced in their judgment by the example of an ancient republic, whose constitution and circumstances were fundamentally different."

Jefferson does not say that this proposed Dictator was to be Patrick Henry; but he insinuates as much, and his pupil in history, Girardin, developed the insinuation into an actual charge. "That Mr. Henry was the person in view for the dictatorship," wrote Girardin, in 1816, "is well ascertained." He adds: "It appears from concurring reports that this dictatorial scheme produced in the Legislature unusual heat and violence. The members who favored and those who opposed it walked the streets on different sides."

Jefferson likewise inspired Wirt's story as to "the mad project of a dictator." Wirt says:

"That Mr. Henry was thought of for this office has been alleged, and is highly probable; but that the project was suggested by him, or even received his countenance, I have met with no one who will venture to affirm. There is a tradition that Colonel Archibald Cary, the Speaker of the Senate, was principally instrumental in crushing this project; that meeting Colonel Syme, the step-brother [half-brother] of Colonel Henry, in the lobby of the House, he accosted him very fiercely in terms like these: 'I am told that your brother wishes to be Dictator. Tell him from me that the day of his appointment shall be the day of his death—for he shall feel my dagger in his heart before the sunset of that day:' and the tradition adds that Colonel Syme, in great agitation, declared 'that if such a project existed, his brother had no hand in it, for that nothing could be more foreign to him than to countenance any office which would endanger, in the most distant manner, the liberties of his country.' The intrepidity and violence of Colonel Cary's character renders the tradition probable; but it furnishes no proof of Mr. Henry's implication in the scheme."

If the Senator from Chesterfield really browbeat the Delegate from Hanover in the tragic fashion here set forth, then we have in Cary of Ampthill one of the early "fire-eaters." Evidence of his combativeness—and of his ardent patriotism, too—may be found in many quarters. Mason, for instance, alludes to a speech by Cary, and rejoices that "to-morrow the old bruiser * will have his mouth shut in the chair." In fact, we are led to believe that if the terrible Patrick, Dictator of Virginia, in marching at the head of his twenty-four lictors from the "palace" to the Capitol, had met Colonel Cary opposite the Raleigh Tavern, he would have caused the axe to be drawn from the fasces and applied at once. "Off with his head! So much for Archibald!" would have given a fine finish to the theatrical tale as told in tradition. "Apocryphal but thrilling," is Grigsby's verdict upon the alleged happening; and he proceeds to note that Cary himself, by permitting less than a quorum to act in a certain war emergency, tolerated not one dictator only, but many. Moreover, it is a fact that General Washington was given extraordinary powers; so was Governor John Rutledge, in South Carolina; so was Jefferson himself when, having succeeded Henry, emergent perils arose, necessitating speedy and desperate endeavor.

Not alone Grigsby, but Campbell and all other discriminating students of the times tread gingerly when they reach this shaky ground. "Who they were that favored a dictatorship," says Campbell, "or where it was concocted, or how developed, does not appear. There is no evidence," he adds, that Henry "suggested

* Cary was known as "Old Iron," because he owned iron works. The word "bruiser" is not usually applied to a small man; and perhaps it was this epithet that caused Grigsby to revise his own prior assertion that Cary was lower in stature than his big-bodied contemporaries.

the plan, or favored it, or consented to it, or was in any way privy to it." William Wirt Henry passes over the subject with his accustomed dignity and common-sense. Moses Coit Tyler magnifies it into a matter of consequence as affecting Henry's character. Many things come to mind when Patrick Henry is mentioned, and none more quickly than the thought of him as the champion of liberty. Hence the hurtfulness of the insinuation that he was on the point of making a *volte-face* —a monstrous reversal of himself. Tyler dwells too feelingly upon the incident, but it is because he detects an artful twist in its Monticello interpretation.

To be fair about it, we may as well assume that there was some idle talk of a dictatorship during the Christmas crisis of 1776, just as there was in the Tarleton crisis of 1781. Let us remember that Rome was very real to the educated Virginian of the time. Old Rome, old England—these were the lands he knew, or thought that he knew, and around which his imagination hovered. He admired the Roman republic. He was disposed to liken himself to a Roman citizen—as Colonel Cary may have likened himself to Brutus. He eased his conscience on the subject of slavery by recalling the fact that his pagan prototype also held slaves. Thus it was in accord with his classic training for the Virginian to talk of the "*magister populi*"—the magistrate extraordinary who, for six months and no more, might go forth armed with terrible powers to save the land from overwhelming disaster. Such, in the purity of the Roman republic, was the function of a dictator; and this doubtless was the sort of official desired by the advocates of the project which Jefferson seizes upon as in sharp contrast with contemporary evidences of his own democracy. But Jefferson would have us think of the corrupt days of the Roman republic and of the usurpers who became bloody tyrants. Again,

as we ponder over the matter, we seem to see the bloody Patrick, in his *toga prætexta,* raging up and down Duke of Gloucester Street, and perhaps winking at his twenty-four lictors as he asks whether his dear friend Thomas Jefferson has come to town from "Shadwell."

Jefferson was not at Williamsburg during the panic period. He had thrown himself into the work of revising the laws, and personally knew nothing of the events of the week preceding Christmas. What happened may be briefly set forth and easily understood. For three months all news from the North had been bad. A tremendous cloud hung there. Washington had been forced to let go his hold on the Hudson, and had crossed the Jersies. But the disheartening reports gave rise to no excitement until the 20th of December. Then, just as the Assembly was on the point of adjourning, to meet again in March, Purdie's *Gazette* came out with panic news from Philadelphia. The King's army was in the valley of the Delaware, moving South. Congress had fled. "These are the times that try men's souls," wrote Paine, in his "Crisis." To meet the emergency, the Assembly resolved, on the 21st, "that the usual forms of government should be suspended during a limited time." The Senate, where Colonel Cary sat, so changed the phrase as to make it read "that additional powers be given to the Governor and Council for a limited time." Then the Legislature adjourned, and Henry issued a proclamation calling for volunteers. Simple in themselves, these are the facts upon which the dictator story was based. At the next session of the Legislature, when Henry came up for reëlection, hardly a whisper of opposition to him was heard. He was reappointed without ballot. "The good of the Commonwealth," said he to the House, "shall be the only object of my pursuit,

and I shall measure my happiness according to the success which shall attend my endeavors to establish the public liberty."

In saying that there was "hardly a whisper of opposition," it is not meant that Henry escaped criticism. Landon Carter—old, aristocratic, and unsweetened of charity—wrote to General Washington:

"If I do not err in conjecture, I can't help thinking that the head of our Commonwealth has as great a palace of fear and apprehension as can bless the heart of any human being; and if we compare rumor with act[illegible] movements, I believe it will prove itself to every sensible man. As soon as the Congress sent for our First, Third, Fourth, Fifth, and Sixth regiments to assist you in contest against the enemy where they really were . . . there got a report among the soldiery that Dignity would not reside in Williamsburg without two thousand men under arms to guard him. This had like to have occasioned a mutiny. A desertion of many from the several companies did follow; boisterous fellows resisting, and swearing they would not leave their county. . . . What a finesse of popularity was this? . . . As soon as the regiments were gone, this great man found an interest with the Council of State, perhaps as timorous as himself, to issue orders for the militia of twenty-six counties, and five companies of a Minute battalion, to march to Williamsburg, to protect him only against his own fears; and to make this the more popular, it was endeavored that the House of Delegates should give it a countenance, but, as good luck would have it, it was with difficulty refused. . . . Immediately then . . . a bill is brought in to remove the seat of government—some say up to Hanover, to be called Henry-Town."

Dr. Tyler aptly remarks that the criticism of the carping and rancorous Colonel Carter * qualifies some-

* This quaint bit from Landon Carter's diary elucidates his own character as well as that of Ralph Wormley, or Wormeley: "Wormeley, as usual boisterous and contradictory, close-wedded to some side in every argument, so that to convince is impossible. I don't know what to make of the man; he is

what "that stream of honeyed testimony respecting Patrick Henry which commonly flows down upon us so copiously from all that period."

With respect to the Hanover Town mentioned in the letter, he who now visits it finds but an open field on the banks of the Pamunkey. Anciently it was Page's Warehouse, and in colonial times it was not uncommon to see, in the main road leading down, a mile-long procession of hogsheads, each turning upon a central bar, and rolling readily to the tug of ox, horse, or mule. At the wharves were many sloops and schooners. This was the place that came within one vote of securing the Capitol when it was decided to transfer the public offices inland from Williamsburg. Hanover Town lost in the contest, and vanished; Richmond won, and soon grew to be a beautiful city.

That the "honeyed testimony" respecting Henry may not cloy upon us, another letter severely criticising his administration is now offered. It was written by St. George Tucker—the same who furnished the court-room description already cited—and was addressed to Colonel Theoderick Bland, Jr. Henry had just quit the Governor's chair, and Jefferson was in his place. Tucker said:

"I wish his Excellency's activity may be equal to the abilities he possesses in so eminent a degree. In that case we may boast of having the greatest man on the continent at the helm. But if he should tread in the steps of his predecessor, there is not much to be expected from the brightest talents. Did the enemy know how very defenceless we are at present, a very small addition to their late force would be sufficient to commit the greatest ravages throughout the country. It

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very sensible, but in that most intolerable. He *gave me several chops;* at last I advised him to read Delianeus' botany, and he could find that Princess feathers and coxcombs were so nearly allied that both came from the amaranthus. He took me; and, as it cut deep, he endeavored to put it off with a laugh."

is a melancholy fact that there were not arms enough to put into the hands of the few militia who were called down on the late occasion; of those which were to be had a great number were not fit for use. Nor was there by any means a sufficiency of ammunition or camp utensils of any kind. In short, never was a country in a more shabby situation; for our fortifications and marine, on which more than a million have been thrown away, are in no capacity to render any service to us; nor have we any standing force to give the smallest check to an approaching enemy. In two days after the departure of the fleet, they might have returned and found nobody to oppose them. Such wisdom, energy, and foresight do our leaders display."

This, of course, is a real criticism in comparison with Landon Carter's pettish flings. It is an arraignment, and would put every Henryite on his mettle were it not well understood that Tucker had taken umbrage at Henry's treatment of him the year before. When a man is in a miff, he is apt to darken his thoughts of the wretch who crossed him; and for months the sensitive Tucker was sorely piqued because on a certain occasion the Governor had given him censure instead of praise. While in Charleston, S. C., as an agent for Virginia, Tucker took £500 out of his own pocket that he might buy and ship indigo to be exchanged for arms. At Williamsburg he called upon the Governor's Council to ask for reimbursement. He says:

"I believe I attended twice before I had the honor of admittance to the Council board, when Governor Henry received me like a great man. I was not asked to sit down, I was not thanked for my zeal and expedition, or for advancing my money. Mr. Henry made some remarks upon the high price I had given for the indigo—said it was more than the State had bought it for before (which was very true, for depreciation had then begun), and that I appeared to have been too much in a hurry to make the purchase. I felt indignation flash from my eyes, and I feel it at my heart at this moment. I am therefore an unfit person to draw an exact portrait of Mr. Henry, or to give a fair estimate of his character."

Here we have a clear, sharp view of Henry as executive officer of the Commonwealth. The room is well lighted for us. The whole scene stands out. It is not the orator who turns in his chair and looks towards us; it is the business man. We remember that he has been spoken of as one who shuns business—who is impatient of details. Therefore we are astonished at the sharpness of his questions, and at the pains he takes to see that the public has not been victimized, even in so small a transaction as the one he is considering. Evidently he has informed himself as to the price of indigo; and we suspect that he knows a great deal about all such practical things. He is soon to take an important stand against engrossing, so he must have an intimate knowledge of true prices and false ones; and indeed, being a faithful servant of the State, he must look sharply in her behalf—even as he is doing at this moment. So we say to ourselves, as we watch the scene between the war Governor and the high-spirited youth who stands before him—flushed, inwardly a-quiver, angry with an anger that will take long to cool. Our sympathies cannot but be with the younger man; though we must admit that if we were aware of all the harassments to which the other had been subjected of late, we probably should excuse him for his lack of suavity on this occasion. It is clear that when Henry was bent upon the execution of public duties, he hardened much in manner. We recall that he mistrusted Carter Braxton and did not cloak his mistrust. We see that he was displeased with young Tucker and did not conceal his displeasure. But it was Henry the official who so appeared. Socially he was a different man. Having met him in company a long while afterwards, Tucker said of him: "His manners were the perfection of urbanity; his conversation various, entertaining, instructive, and fascinat-

ing. I parted from him with infinite regret, and forgot for the whole time I was with him that I had so many years borne in mind an expression which might not have been intended to wound me as it did."

Obviously, then, there is little to Tucker's strictures. But heedless of the admitted animus back of them, or perhaps ignorant with respect to it, some of the writers of to-day blame Henry and the Revolutionary Legislature for permitting Virginia to remain undefended against such incursions as that of Matthews. But it will not do to lose sight of the fact that Virginia was open to the ocean. Her bay, and the numerous arms of that bay, exposed her to the attacks of an enemy especially powerful on the water. It was impossible for Henry to stretch chevaux-de-frise from cape to cape. He could only fortify such points as Yorktown, and provide a fleet of war-vessels to keep the Chesapeake whipped clean of Tory marauders and escort the State's trading craft out and in on their West Indian voyages. He controlled a navy board which built and equipped seventeen ships, fifteen brigs, nineteen schooners, fifteen galleys, two pilot-boats, and two barges. He established dockyards and naval depots, imported gunpowder, manufactured gunpowder, and mined lead. Much recruiting for other States was done in Virginia, and Henry helped it along whenever he could. He kept up Virginia's Continental quota of some six thousand men, and was frequently occupied in looking after the four or five thousand militia. He supplied the Virginia soldiers in Washington's army with clothing and foot-leather, and was tireless in his efforts to keep that army from starving. His zeal and vigor in this business entitle him to the highest honor as a guardian of America in her time of trial. It is a great glory of Henry's that he sent all the cattle he could gather to feed the poor fellows at Valley Forge. No one

took the troubles of the "ragged Continentals" more to heart than did the Governor of Virginia.

It may, or may not, be that Henry saw behind the enemy's grand plan of campaign, which was to cut the colonies apart on the line of the Hudson. Here was the weakest link in the chain, geographically and politically. That was why Burgoyne tried to reach down from Canada to join hands with Howe, who, by an egregious blunder, withdrew during the crucial period to another field. But even if Henry did not understand the grand strategy of the war, he had some warrant in assuming that the real fighting was likely to continue in the North. What, indeed, would it profit the British if they should land a great army in Virginia and overrun the State? The people themselves were hardly conquerable. They would move to the mountains, and, when the enemy had departed, would return to their devastated homes. But that would not help the King. So thinking, and being ready to risk much since much was to be gained, Henry stripped Virginia of arms and provisions and sent them to Washington's camp. Students who examine the Calendar of State Papers become convinced that the resources of the Commonwealth were practically exhausted in behalf of the Union. This is one reason why the militia were poorly equipped, and why they were ineffective when Tarleton went careering through the State. There was no lack of men, but they were scattered over counties forty miles square; and they had few arms. Unquestionably Henry made mistakes, but in the main his course was admirable.

Henry was not only painstaking in the performance of his set duties, but was watchful of the larger matters. He secured foreign loans; he looked sagaciously beyond the Alleghanies, and he handled his pen with vigor and effectiveness. Of his twenty-one existing

letters to Washington and of Washington's thirty-four letters to him, the greater number deal with the affairs of this period. So with the letters to and from Richard Henry Lee. We note eighteen letters from Henry to Lee, and thirty-six from Lee to Henry. Eight of the latter were found by accident among some of Mayo Cabell's papers at Union Hill, where Henry, who took slight trouble to preserve his Revolutionary correspondence, is supposed to have left them. There was also a Washington letter in the lot. No one knows, of course, how many precious documents bearing the signature of Washington, Lee, or Henry were used to light the fires, or "stop a hole to keep the wind away." It is a fact that a good Virginia housekeeper kept the mould out of her preserves with covers cut from George Mason's letters. At a time when and a place where paper was scarce, we can imagine how great a temptation it was to ransack the garret for needed scraps. Perhaps the searcher hesitated the less if perchance her eye fell upon some such postscript as that in a letter written by Robert Munford, who was a constant guest at Colonel Washington's table during the campaign of 1758. Munford's message was to his aunt, and was couched in ten words: "I am well and lousie, and still your affectionate nephew." But, as Fisher Ames said, "it is natural that the gratitude of mankind should be drawn to their benefactors"; therefore we are sorry that preserves were so much liked in old Virginia, and we are glad to have certain letters that corroding time has left us. Those that passed between Henry and Lee tell of their hopes, their fears, and their efforts to strengthen the credit of the country and keep the army up to the mark. They impart confidences. The writers mutually encourage each other. One suggests in Philadelphia something that the other may act on in Virginia; and so it goes, turn and turn about. Lee was indefatigable.

He must have been a great man—a great patriot. Hampden, Sidney, and Pelham had been his heroes and models when he was a youth. He was so diffident that he never thought of himself as an orator until one day, in the House, his brother, Thomas Ludwell, also a member, was subjected to an indignity. Then, getting upon his feet, Richard Henry discovered and disclosed himself as one of the most eloquent of men. Just before the war, he was shooting swans on the Potomac when his gun burst; and, after that, he wore a silk wrapping on one hand to hide the loss of its fingers. Ever since Stamp Act times Henry and Lee had worked together. Speaking of their warm friendship, Lee's grandson and biographer says:

"This was the certain consequence of the intercourse of men of such congenial feeling and similar principles. This friendship and harmony of principle existed till their death. Two such men, during the period which followed, acting in close and active concert, must have had a powerful influence on the public opinions and proceedings of their native State. And, indeed, to the genius, integrity, and eloquence of these great men may be attributed, in a very considerable degree, the confessedly distinguished part which Virginia acted in the Revolution. They aroused their fellow-citizens to a sense of their danger; they cheered and animated them in the dark hours of war and desolation; suggested the most efficient means of resistance; and directed the patriotism, they so generally found, to the wisest ends. . . . Mr. Henry observed to a son of Richard Henry Lee, who had the pleasure of serving a session some years afterwards with him: 'Your father, sir, and myself always agreed upon the great principles of freedom. We differed on some questions of internal policy, but liberty alike we fondly loved.'"

"Plain, solid common sense," Campbell assures us, "was the distinguishing characteristic of his [R. H. Lee's] mind as it was of Mr. Henry's."

Much mystery has been made of "the Lee scandal,"

so called. In truth, there was no actual basis for scandal. In 1776, foreseeing the depreciation of Continental currency, he stipulated that his tenants should pay him in tobacco instead of paper money; or, if not in tobacco, in gold or silver. For this he was deprived of his seat in Congress; but after an excusatory address in the Assembly—a speech that brought tears, 'tis said—he was reëlected, greatly to Patrick Henry's relief and joy. Lee, Henry, Washington, and Mason all looked after their own during the Revolution. We expect a great deal of our heroes, but it is hardly fair to insist that they shall throw their families out at the window. The pay for public service was small; and it was a point of honor in America in those days to accept no gift that smacked of bribery. "A neighbor of his," writes Henry Clay of his preceptor, the great George Wythe, "Mr. H., who had the reputation of being a West Indian nabob, and who at the time had an important suit pending in the Court of Chancery, sent him a demijohn of old arrack, and an orange-tree for his niece, Miss Nelson, then residing with him. Wythe sent them back, saying that he had long since ceased to make use of arrack, and that Miss Nelson had no conservatory."

Richard Henry Lee certainly was needed in Philadelphia in 1777, and from that time on till the war ended. The character of Congress was changing. Some of the strong men were out, and their places had been taken by weaklings. On one occasion, Henry Laurens, then president, "so far forgot himself as to answer from the chair an honorable member from North Carolina [Mr. Penn] by singing aloud: 'Poor little Penny, poor little Penny; sing tan-tarra-ra-ra.'" But for the decadence of Congress, it is unlikely that the Conway Cabal would have come to a head. Conway, a Count, was of Irish blood, but French by birth and training. It is apologetically that we make use of the word "Irish" here,

for the men of that stock bore a great part in the Revolution. The splendid French regiments at Yorktown were officered by Irishmen educated in France. The Continental Army was largely recruited among the Irish, especially the Pennsylvania part of it. Harsh laws had driven many Irish Catholics out of Maryland, and they formed the bulk of the Pennsylvania line. It is said that upon Wayne's call for volunteers, at the storming of Stony Point, there was no response at first. But by and by, in the darkness there, a voice was heard: "Gin'ral! Give us a gill apiece, and we'll shiver it out with you." Whereupon the "gill apiece" was supplied, and they all shivered it out, incidentally shivering the rock-bound fortress of kingly power in that part of the continent.

Conway and Charles Lee were cosmopolites—bold adventurers. They had acquired the art of double-dealing in the European school of sliding panels and courtly hocus-pocus. Lee, especially, knew his "Tartufe." His mask was eccentricity. How he hoodwinked Washington is hard to understand, unless we assume that, being personally unfamiliar with the refinements of civilized guile, Washington was too generous, too unwilling to suspect, too high-minded. Had Lee worn a red skin, Washington would have read him through and through very quickly. As it was, he bore with him on the theory that treachery and an illuminated mind, such as Lee seemed to have, do not go together. Lee was second in command, and wished to be first—either for the glory of it, or that he might sell America to the King. When Washington was west of the Hudson, he begged Lee, who was east of it, to cross the river and reunite the two wings of the army. Lee disobeyed; hence Washington was forced to retreat to the Delaware at the risk of his troops and his reputation. Lee's subsequent "capture" was a suspicious proceeding; and, while he was a

prisoner, he devised the Philadelphia campaign for the Howes—an act of treachery long unknown to the world, but now beyond dispute. Not until the battle of Monmouth did Washington smite Lee and strip him.

Conway's machinations were unlike Lee's, who worked alone. Conway involved many men of influence in his intrigue. Gates, Reed, Mifflin, and Rush are thought to have been active in the Cabal, which was coincident with Lee's scheming, but probably unconnected with it. Conway used Gates against Washington, who had just lost two battles, and lost the capital, too; whereas Gates had just won a victory so great that the whole world heard of it, and understood its significance. We now see that if Washington had not held him on the Delaware, Howe would have returned to New York, marched up the Hudson, and coöperated with Burgoyne, and together they probably would have cut the country in half. It has been shown that this was the plan; and there is no doubt that Howe thought he could take Philadelphia, and get back to New York in time to execute his part of the grand operation. So, indirectly, Washington was as much the victor of Saratoga as Gates, but in the smoke and dust and heat of the time few men realized it. Whether Patrick Henry grasped the truth, or whether he shared the common feeling that Gates was to be credited with the Saratoga victory, it is not possible to say. When Gates, then humiliated by his Carolina debacle, passed through Richmond in 1780, Henry was hearty in his greeting, studiously sympathetic, and attentive in every way. But we know from his own testimony that he never ceased to regard Washington as the genius of the war. Imagine his disgust, therefore, when he became aware of an attempt to draw him into the Conway conspiracy! His first inkling of the business was in January, 1778, when an unsigned letter, under Yorktown date, was placed in his hands. It dwelt upon

present perils and past mistakes, artfully flattered Henry himself, and proceeded thus:

"But is our case desperate? By no means. We have wisdom, virtue, and strength enough to save us, if they could be drawn into action. The Northern Army has shown us what Americans are capable of doing, with a general at their head. The spirit of the Southern Army is no way inferior to the spirit of the Northern. A Gates, a Lee, or a Conway would in a few weeks render them an irresistible body of men. The last of the above officers has accepted of the new office of Inspector-General of our Army, in order to reform abuses; but the remedy is only a palliative one. In one of his letters to a friend he says: 'A great and good God hath decreed America to be free—or the . . . and weak counsellors would have ruined her long ago.'"

"Even the letter must be thrown into the fire," concluded the epistolary patriot.

Instead of burning it, Henry enclosed it, with a letter of his own, to Washington. Governor Rutledge, of South Carolina, it should be said, did the same with a similar communication. Henry wrote that it gave him pain to do as he was doing.

"But," he said, "there may be some scheme or party forming to your prejudice. . . . I am sorry there should be one man who counts himself my friend who is not yours. . . . Believe me, sir, I have too high a sense of the obligations America has to you to abet or countenance so unworthy a proceeding. . . . It would suit my inclination better to give you some assistance in the great business of the war. But I will not conceal anything from you by which you may be affected; for I really think your personal welfare and the happiness of America are intimately connected."

Henry calculated the time it would take for his warning letter to go and an answer to come. Manifestly, he was anxious in the matter, for, when the expected reply failed to reach him, he wrote again, with deep feeling:

"While you face the armed enemies of our liberty in the field, and, by the favor of God, have been kept unhurt, I trust your country will never harbor in her bosom the miscreant who would ruin her best supporter. I wish not to flatter, but when arts, unworthy honest men, are used to defame and traduce you, I think it not amiss, but a duty, to assure you of that estimation in which the public hold you. Not that I think that any testimony I can bear is necessary for your support, or private satisfaction; for a bare recollection of what is past must give you sufficient pleasure in every circumstance of life. But I cannot help assuring you, on this occasion, of the high sense of gratitude which all ranks of men in this your native country bear to you. It will give me sincerest pleasure to manifest my regards, and render my best services to you and yours. I do not like to make a parade of these things, and I know that you are not fond of it; however, I hope the occasion will plead my excuse."

There is a marked difference in the tone of Washington's two letters in reply to Henry's two. The first is merely courteous; the second is characterized by warmth and glow, and imparts much confidential matter. He thinks that Dr. Rush was Henry's tempter, judging from "a similitude of hands." He adds that "General Gates was to be exalted on the ruin of my reputation and influence. . . . General Mifflin, it is commonly supposed, bore the second part in the cabal; and General Conway, I know, was a very active and malignant partisan."

The light of day destroyed the dark thing of which we have been telling as illustrative of the varied experiences in Henry's life. Though Henry no doubt heard with interest of the duel in which Cadwalader caused Conway literally to taste lead, it is improbable that he followed the adventurer's career in far-away Pondicherry. But if he did, he must have smiled when told that Conway had got into a snarl there with the famous Tippoo Tib, just as he had done with our own famous Washington.

During these war days, Henry came in contact with many French officers and other foreigners who had adventured hither to help America—or, in numerous intances, to help themselves. Thus, for example, he furthered the bold scheme of Captain Cotteneau, who later served with Paul Jones. Henry was of the mind to lend Cotteneau a twenty-gun Virginia ship to "attack our foes in Africa." "I long for something of the éclat that would attend such an enterprise," said he. Not a few of his foreign visitors merely pestered him with impractical schemes; others won his admiration. In gratitude for certain kind words, Lafayette wrote to him; a correspondence followed, and the two formed a lasting friendship. That with Albert Gallatin belongs to a somewhat later period. "Patrick Henry advised me to go West," said Gallatin, "where I might study law if I chose; but predicted that I was intended for a statesman, and told me that this was the career which should be my aim; he also rendered me several services on more than one occasion." Colonel Patrick Henry Fontaine says that his grandfather drew upon the Latin of his "Mount Brilliant" days to piece out conversations with the young Swiss, but since Gallatin was in Virginia as interpreter for M. Savary de Valcoulon, who had a claim against the State, the story is dubious. Doubtless Henry knew enough French to read and smile over some superscriptions which ran: "*Son Altesse Royale, Monsieur Patrick Henri, Gouverneur de l'Etat de Virginie.*" The address must have made him think of General Charles Lee, who, now disgraced, dwelt by the Shenandoah, with his dogs as his only friends.

Appreciative as he was of such sterling characters as Lafayette and Gallatin, there is no doubt that Henry was more at home with men like George Rogers Clark. It is time to refer to Clark's brilliant stroke beyond the mountains; and this means that we must tell of Clark's

relations with Patrick Henry. Jefferson knew Clark as a boy, when, with a bag of corn in front of him, he reined his horse along the road towards Shadwell grist-mill.* Thus Virginia has its mill-boy of Albemarle as well as of "The Slashes." Surveying was Clark's study —the border his romantic lure. At twenty he was with Dunmore on the Ohio; later he was in Kentucky; now, at twenty-three, we find him ending an overland pilgrimage of five hundred miles at Governor Henry's home in Hanover. If we make for ourselves a mental sketch of Clark—robust, soldierly, fluent of speech, a sunburnt ranger in buckskin—as he sat in the hall of "Scotchtown" house, talking with Henry, then on sick-leave and no doubt showing sallowness, we have a bit of a scene that belongs to a series of historic pictures. Such a series, we mean, as might well grace the Capitols of Ohio, Indiana, Illinois, Michigan, and Wisconsin; for these States were carved out of the territory secured by Clark—Henry and others helping. At this interview Clark told Henry that the settlers in Kentucky had sent him after powder. They needed it for use against the Indians; and if Virginia would supply it—so much the better for Virginia. Henry had long been apprehensive lest an enemy should come out of the West as well as the East. The Cherokees, stirred to war by Stuart and other British emissaries, had risen under Dragging Canoe and Oconostota, but Christian, Shelby, and that "rear-guard

* In his elaborate volumes, "Conquest of the Country Northwest of the River Ohio, 1778–1783, and Life of General George Rogers Clark," William Hayden English expresses doubt as to whether Jefferson knew Clark as a lad. From the minuteness of his studies one might suppose that Mr. English had exhausted the subject, but there is still much undigested Clark material in the Virginia archives. Mr. English gives Patrick Henry great credit for his spirited furtherance of Clark's work. When Clark had captured Fort Sackville at Vincennes, he renamed it "Fort Patrick Henry."

of the Revolution" in the romantic Watauga Valley had humbled them, had taken hostages, had built "Fort Patrick Henry" at the key-point of the region. So in that quarter a fresh treaty still held; but Henry was less at ease with respect to the savages along the Ohio. Therefore, seeing that Kentucky was the buffer and outpost of the Commonwealth, he was all readiness to do his part. He gave Clark a letter to the Council at Williamsburg, and soon wagons with five hundred pounds of powder were on the way West. That some of the Council at first demurred about sending the supply is in no wise to the discredit of this watchful board. A great land-ownership dispute was pending, and not until later was it settled that Kentucky belonged to the State itself rather than to Richard Henderson, who claimed it on the strength of Indian purchases. All the old land companies lost their Indian lands finally, but throughout Henry's early years in the executive chair they gave rise to much perplexity. Meantime, Clark's heart was won, Kentucky County was set off from Fincastle, and the first step had been taken in an exceedingly large matter.

It was larger, no doubt, than Henry at first conceived. In December, 1777, Clark reappeared at Williamsburg. It looked now as if the worst of the Revolution were over, as if by blood and sweat the patriots would reach the hill-top and see the broad republic down below —fertile bottoms, forests, innumerable places for peaceful homes. Perhaps Clark saw more. Perhaps he saw the prairies beyond the forests. At any rate, he at once interested Jefferson, Wythe, and Mason in a bold plan that had come into his head. On the morning of the 10th of December the plan was submitted to Henry. It was Clark's own idea of the one true way to defend the far-stretching borderland from the Lakes to the Cherokee Mountains. He said that the chief menace in the West was the chain of British forts that stretched

from Lake Huron to the Mississippi—from Detroit to Kaskaskia. Out of these, as from hatching-places, savage enemies might sally at any time. Governor Hamilton at Detroit might give the word when it pleased him to do so, and then might come such a tempest as that which had just swept the Wyoming Valley. The way to defend Virginia was to make Hamilton defend Detroit. Would the gentlemen help him?

Clark had willing listeners. It will not do to say that possibly some of them saw further in the matter than he did himself; but as the four men to whom he talked were veterans in statecraft, it may have been so. The historical painter certainly has a remarkable group here —Clark, Jefferson, Mason, Wythe, Henry. When they put their heads together for the conquest of the Illinois country, there was as notable a conjunction as one often reads about, and it was over a matter of magnitude. They coöperated zealously. That very morning the Governor sent a letter to the Legislature. It was necessary to be secret. But if the letter seemed enigmatical, Jefferson, Mason, and Wythe were on the spot to push through the necessary bill—which they did. Clark was authorized to execute his plan, and the State agreed to supply him with men and money. Henry's instructions to Clark, as issued through the Privy Council, have been praised for their humanity. Butler, in his "History of Kentucky," declares that "they form a monument of durable glory in the Revolutionary annals of our parent State." And Americans will never be done glorifying the achievements of Clark. He started down the Ohio in May; captured Kaskaskia, Vincennes, and other posts; broke the British power in the North-west, and sent Hamilton a prisoner to Williamsburg. With his hundred and eighty riflemen, he passed through great danger and hardship. Henry's letter to the Virginia delegates in Congress and a subsequent letter to Gen-

eral Washington on the subject of the conquest show no undue elation; but beyond doubt he was happy in the feeling that much of the glory belonged to Virginia as a State, and perhaps some to him and his advisers. "That country was ours," declared John Randolph, "by a double title—by charter and by conquest." Randolph spoke of Clark as "the Hannibal of the West," and with that fondness for classic comparisons which pleased the taste of his own generation, but offends that of ours, likened Clark's heroes, when in wintry weather they waded up to their breasts through the "drowned lands of the Wabash," to Hannibal's soldiers crossing the Thrasymene marsh. But, as Randall points out, Clark was more heroic than Hannibal, who had one elephant left on which to ride without getting wet, whereas Clark was on foot. All of which would have amused the hardy followers of the matter-of-fact Clark, just as it amuses the people who read the comparison to-day. It is the incongruity that makes us shake our heads. It is the feeling that the sense of proportion is violated. We want no Hannibal in mind when we think of the pluck of our grandfathers, who waded for five days in icy water that they might seize the key to a vast region, which was to become the home of a teeming population, with no king or conqueror within the continental bounds.

Before turning away from the subject of the Northwest Territory, let us note two great sequential events of the time. Virginia saw that France hesitated to confirm the alliance with America because all the States had not adopted the Articles of Confederation. Maryland hung back, on the contention that the other States possessing Western territory must first cede it to the Union. To seal the Union, Virginia gave up the land—an act of patriotism, at least, if not of magnanimity. Again, when, by the ordinance of 1787, slavery was

forever excluded from the North-west Territory, it was to the credit of the people of Henry's State that they said "Amen!"

Whatever the errors of his administration, it is plain that Patrick Henry was a vigilant and hard-working Governor. A less circumspect executive, for instance, might have neglected to police "the back settlements"; but Henry was ever watchful of them. Just before the close of his administration, he sent a band of "over-mountain men" under Colonel Evan Shelby to chastise the Cherokees. Thus the foes on the border were cowed and kept so; and when the time came for the frontiersmen to concentrate in an exigent crisis, they were ready. King's Mountain was the place where they finally cut their names in rock that bids fair to last for ages.

As Henry was the first of the Commonwealth Governors, many Virginia precedents were set by him. He was first to use the expression "fellow-citizens." He was first to exercise enlarged powers. He was probably first to encounter a difficulty between the Federal and State authorities—General Hand of the Continental service having taken it upon himself to order up Virginia militia to join him at Pittsburg. But apparently the precedents and difficulties were well considered. The Executive Council, which Madison joined on January 14, 1778, was equal to its duties. Henry deferred to the board, preserved its harmony, and utilized it in improving the machinery of government. It was held by some of Henry's close adherents that he was entitled to another term. They said that when he was first chosen, it was by the Fifth Convention and not by the Legislature. This was a quibble, and Henry would have none of it. On May 28, 1779, he notified the Assembly of his purpose to retire; and on June 1 Thomas Jefferson succeeded him.

Jefferson expected a great deal of himself as Governor of Virginia. His friends also looked to see him bring honor upon himself. He was thirty-six, and a growing man. But, vigorous as he was and versatile as he was, he had little military outlook. He was essentially a civilian. Do we need to remind ourselves of our unpreparedness for war when he left the White House? Obviously, he was a practical philosopher, a law-giver, a great politician; but he was undeveloped on the fighting side. When he became Governor, he was intent upon liberalizing the laws, and it is likely that he thought too much upon this matter and too little upon the real problem before him. Thus it happened that when he retired at the end of his second term, he was humiliated —mortified beyond measure.

In fairness to Jefferson, it should be said that both the wind and the tide of war were against him. We have seen that Virginia's commissarial service had been immense. She had long been " a nursery of raw soldiers, horses, and provisions " for the Northern and Southern armies. So, when she herself was struck, much of her strength was gone. With some ten thousand men in the Continental service, she was unable to find guns for the home guard. There was a factory at Falmouth, but it was inadequate. At the outset of the war armories and arsenals should have been built and gunsmiths brought over from Europe. Now it was too late; and even if there had been time to organize and equip a standing army, it would not have been done. We recall Landon Carter's criticism of Henry, who did not take counsel of his " fears " at all when he tried to strengthen the State soldiery, but of his common sense. The fact is that about the time Henry stepped out and Jefferson in, the people became apathetic. " The French Alliance," says Henry S. Randall, " without yet introducing into the country anything like a counterpoise to

the British strength, had infused a fatal security into the public mind." Enlistments were difficult. The Legislature reflected the public feeling. As for Washington, Henry, and other leaders, they were far more despondent during this period than they had ever been before. In a letter to Mason, Henry said:

"I view things very differently, I fear, from what people in general do. I have seen without despondency (even for a moment) the hours which America has styled her gloomy ones, but I have beheld no day since the commencement of hostilities that I have thought her liberties in such imminent danger as at present. Friends and foes seem now to combine to pull down the goodly fabric we have hitherto been raising at the expense of so much time, blood, and treasure—and unless the bodies politic will exert themselves to bring things back to first principles, correct abuses, and punish our internal foes, inevitable ruin must follow. Indeed, we seem to be verging so fast to destruction, that I am filled with sensations to which I have been a stranger till within these three months. Our enemy behold with exultation and joy how effectually we labor for their benefit, and from being in a state of absolute despair, and on the point of evacuating America, are now on tiptoe."

He concludes that Spain must intervene or affairs will be still worse. It is true that Henry was low-spirited on account of sickness, but his head was clear. He wrote to Jefferson, confessing his "anxieties for our Commonwealth." "Tell me," he asked, "do you remember any instance where tyranny was destroyed, and freedom established on its ruins, among a people possessing so small a share of virtue and public spirit? I recollect none; and this, more than the British arms, makes me fearful of final success, without a reform." Henry was rather close to his Tacitus here—"a people without morals may acquire liberty, but without morals they cannot preserve it."

But the Revolution was soon to rekindle in Virginia,

and she herself was to feel the scourge of war. Let us recall the facts of the general situation. The war was now world-wide. England was fighting in both hemispheres and on almost all the seas. Of her 314,000 soldiers, she could spare no more armies of the size of Burgoyne's to conduct the operations that would be necessary to checkmate and overpower Washington. France was active on land and sea. Spain, sure enough, as Henry had hoped, declared war, seeking to reacquire Gibraltar and the Floridas. . There was bloody turmoil in India. So it was decided by Lord George Germain to overrun Georgia, the Carolinas, and Virginia—to wear the "rebels" out with raids and ruination. Hence the change in the course and character of the war. It swung South. It became more ferocious. Arnold, with twenty-seven sail, passed in between the Capes in January, 1781; Phillips, whom Jefferson called "the proudest man of the proudest nation on earth," appeared in March; Cornwallis, in May. And why Cornwallis, who by rights was Greene's foe? Greene had done a most amazing thing. After his battle with Cornwallis, he had kept on South, reconquering the Carolinas. It was winning strategy, but Virginia became the sacrifice. Out of the North Lafayette hurried; then Wayne; then Washington. But meantime terrible things happened in Virginia, and piquantly funny things as well. We come, indeed, to a tragicomedy of the Revolution—the great Tarleton drama, preceding Yorktown. The tragedy is found in the British depredations. His Lordship, Cornwallis, is said to have pocketed silver plate. But this would have been as nothing if he had not permitted houses to be burned and plantations swept of their slaves and stock. The throats of colts were cut. Of the thirty thousand black people carried off, twenty-seven thousand are estimated to have died of small-pox and camp fever. The devastations amounted to three millions sterling.

At this period Henry lived in the county that bore his own name, representing it in the Assembly. Early in the year General Greene, then on the Dan, had written to Jefferson: "Our force is so inferior that every exertion in the State of Virginia is necessary to support us. I have taken the liberty to write to Mr. Henry to collect fourteen or fifteen hundred volunteers to aid us." Apparently Henry exerted himself, for in a little while great numbers of militia-men gathered on the north bank of the Dan. They saw Greene march away, however, and within a few weeks Henry heard of the Cornwallis invasion. Grigsby puzzles us somewhat when he says:

"Of all men of the Revolution, Patrick Henry displayed the greatest spirit . . . yet so deeply impressed was he with the peril of the period that, when Greene had reached Halifax old Court-house in his retreat before Cornwallis, and when Cornwallis himself was on the banks of the Dan waiting a fall of water, instead of haranguing the people of Henry, where he then was, and marching with the levy of his county *en masse* to harass the foe, fearing lest he might be captured by the scouting parties of the enemy, he hastened from the scene of war to Hanover. An honorable death in a fair field he did not dread, but he dreaded an ignominious death on the scaffold or from a tree. The intercepted letter of Cornwallis to Nisbett Balfour, dictated on the spur of a momentary triumph, proves incontestably that the success of the British would have been written in the blood of the purest and greatest men of whom our country could boast."

Henry had reason to suspect that he would be hanged if taken, and he had no idea of riding into the arms of the British dragoons. His uncle, Anthony Winston, of Buckingham, had an indentured servant, Peter Francisco, who put nine of them to flight in an encounter of glorious record in the school-books; but Henry was less Samsonian and less eager to distinguish himself. Nevertheless, he did all he could in the emergency. Even if he failed to "harangue" the Henry County

militia-men, we know from the Calendar of Virginia State Papers that they joined Greene "in greater numbers than called for"; and it is probable that Henry left home, not for Hanover, but for Richmond, where the Legislature was about to meet in extra session—when Cornwallis came knocking at the door. Congress had run away from Philadelphia twice—to Baltimore in 1776, and to York in 1777. Legislatures had repeatedly changed capitals. So the Virginia Assembly, Henry accompanying, rode up to Charlottesville.

Jefferson, meantime, was powerless. He is said to have ridden his horse to death in his efforts to protect the public stores. If so, he was soon astride of another and away for Monticello. Now, Banastre Tarleton, Cornwallis' "hunting leopard, glossy, beautifully mottled, but swift and fell," had it in mind to come up with Jefferson, Henry, and other gentlemen of like politics. Therefore he, too, struck north for Albemarle, riding at the head of his dragoons, whose white uniforms faced with green caught many an eye peering forth from roadside houses. One pair of eyes belonged to Captain John Jouette, who was at the Cuckoo Tavern in Henry's old county of Louisa. Jouette, in scarlet coat and hat with waving plume, soon sped away on a blooded horse —likewise making for Charlottesville. But he took a "disused and shorter route," cut around Tarleton, stopped to see Jefferson at Monticello, and reached the objective point in time to warn the Assembly, which adjourned to Staunton, in the Shenandoah Valley. We are glad to set it down that the honorable members "breakfasted at leisure" before departing for the Blue Ridge.

As we follow Tarleton—who on this raid, upon a sudden alarm, sprang into his saddle with one cheek fresh-shaved and the other lathered—we come upon some former friends of ours, namely, Judge Peter Lyons,

Henry's old antagonist in the Parsons' Cause, and Colonel John Syme, Henry's half-brother. It was night, so Tarleton pulled them out of their beds. Lyons was a man of tremendous frame, weighing nearly three hundred pounds. He looked so like a "Jack Falstaff" that the dragoons fell into a fit of laughter, some of them shouting and rolling over and over on the ground. And when Syme, "who was remarkably homely, was brought from his bedroom undressed, and with dishevelled hair, the celebrated cavalryman threw himself into the attitude of Hamlet upon discovering his father's ghost, and exclaimed:

> "'Angels and ministers of grace defend us!
> Be thou a spirit of health, or goblin damned?'"

Having sent his family away, Jefferson watched through a telescope for Tarleton's coming. He was high up on Carter's Mountain. He saw no sign of the enemy in Charlottesville and started from the outlook on his return to the house, when he missed his light walking-sword from its sheath. It had slipped out while he was kneeling on the rock to focus the lens. He went back after his sword, and again looked down into Charlottesville. The place swarmed with troopers in white coats. He mounted and rode away. If he had only done what Martin, one of his slaves, did! Martin hid with the family silver under the porch floor till the enemy had come and gone. He was under close cover for eighteen hours, and became a Monticello hero. That would have been exceedingly undignified for Jefferson; but it would have been romantic, and his course was unromantic in the extreme. He disappeared, and, though his term as Governor had just expired, he was greatly blamed. Poplar Forest, in Bedford County, was the place of his retirement. Nothing in his career so

troubled Jefferson as this experience. He felt that his enemies would accuse him of cowardice; and they did so accuse him. Later in life the stories about his flight from Monticello were given their worst possible twist, and he resented them bitterly. It is a contumelious world.

Taking the Staunton road, we find fresh matter for comedy. Seven of the legislators were captured by the dragoons. General Adam Stevens, in farmer's dress and riding a sorry horse, was passed pell-mell by a squadron who caught sight of Jouette's scarlet cloak. Jouette led them a long chase and a wild one. Perhaps Henry, in covert, saw them pass. With him, as he reached a cabin in a gorge of the hills, were Judge John Tyler, Colonel William Christian, and Benjamin Harrison. They were fatigued. They were hungry. They stopped at the door and asked for refreshments. What happened is best told in Abel's "Life of John Tyler":

"A woman, the sole occupant of the house, inquired of them who they were, and where from. 'We are members of the Legislature,' said Mr. Henry, 'and have just been compelled to leave Charlottesville on account of the approach of the enemy.' 'Ride on, then, ye cowardly knaves!' replied the old woman, in a tone of excessive indignation. 'Here have my husband and sons just gone to Charlottesville to fight for ye, and you running away with all your might! Clear out—ye shall have nothing here.' 'But,' Mr. Henry rejoined, in an expostulating tone, 'we were obliged to fly. It would not do for the Legislature to be broken up by the enemy. Here is Mr. Speaker Harrison; you don't think he would have fled had it not been necessary?' 'I always thought a good deal of Mr. Harrison till now,' the old woman answered, 'but he'd no business to run from the enemy;' and she was about to shut the door in their faces. 'Wait a moment, my good woman,' again interposed Mr. Henry; 'you would hardly believe Mr. Tyler or Colonel Christian would take to flight if there were not good cause for so doing.' 'No, indeed; that I would n't,' she replied. 'But Mr. Tyler and Colonel Christian are here,' said

he. 'They here? Well, I never would have thought it,' and she stood a moment as if in doubt, but finally added, 'No matter; we love those gentlemen, and I didn't suppose they would ever run from the British, but since they have, they shall have nothing to eat in my house. You may ride along.' As a last resort, Mr. Tyler then stepped forward, and said, 'What would you say, my good woman, if I were to tell you that Patrick Henry fled with the rest of us?' 'Patrick Henry! I would tell you there was n't a word of truth in it,' she answered angrily; 'Patrick Henry would never do such a cowardly thing.' 'But this is Mr. Henry,' rejoined Mr. Tyler, pointing him out. The old woman looked astonished. After a moment's consideration, and a twitch or two at her apron string by way of recovering her scattered thoughts, she said, 'Well, then, if that is Patrick Henry, *it must be all right.* Come in, and ye shall have the best I have in the house.' Perhaps no better compliment was ever paid to the patriotism of Patrick Henry than this simple tribute of praise from the mouth of that poor but noble woman."

Various tales are told in the Valley concerning the fugitives. Colonel William Lewis is said to have exclaimed within earshot of the object of his eulogy: "If Patrick Henry had been in Albemarle, the British dragoons never would have passed the Rivanna River." Jocular tradition even goes so far as to assure us that in a night alarm at Staunton Henry made off with the other members, lost one of his boots, and blushed to the roots of his wig when a negro ran up to him with the missing piece of foot-leather. But fact sternly checks tradition here. There was an alarm; but it happened in the daytime, on a Sunday, and the Legislature, in quiet session, decided to adjourn to the Warm Springs, provided the story of the approach of the dragoons should be verified. As the upcoming soldiers proved to be Americans, the Assembly continued to sit at Staunton until its work was done.

We have seen that Henry was prone to do his public duty, whether he hurt the feelings of people or not. He had suffered, we think, because of his treatment of

Carter Braxton; and he was to suffer infinitely more because of something he did in connection with the humiliating interregnum then existing. Jefferson's term had ended on the second of June; it was the twelfth of that month before his successor, General Thomas Nelson, was chosen. Edmund Randolph says:

"At this session of the Assembly, the usual antidote for public distress was resorted to. Two persons were named with acrimony as delinquent: Baron Steuben, for not having succeeded in protecting the stores in the vicinity of Point of Fork, and Thomas Jefferson, the Governor, at the time of Arnold's invasion, as not having made some exertions which he might have made for the defence of the country. . . . Colonel George Nicholas and Mr. Patrick Henry were those who charged Mr. Jefferson. They aimed to express themselves with delicacy towards him, without weakening the ground on which they supposed that their suspicions would be found ultimately to stand. But, probably without design, they wounded by their measured endeavor to avoid the infliction of a wound."

It was Nicholas who moved "that at the next session of Assembly an inquiry be made into the conduct of the Executive of this State for the last twelve months." But it was Henry who got the blame for it at Poplar Forest. From that time on, until the end of his life, Jefferson was at outs with Patrick Henry. There were two Henrys in his mind—the younger Henry, who had led the long battle for freedom, and the older Henry, who had dared to touch the raw wound that tortured him. This was the time of the genesis of his bitterness. He had never liked it, perhaps, because Henry could speak so well, while he himself was so lacking in voice, and he had doubtless felt some chagrin in comparing Henry's record as Governor with his own; but these things would not have mattered—it was the Staunton insult that rankled in his heart, which was a proud heart indeed, with fine ruffles above it. Emphasis is here laid upon the incident for the reason that Jefferson

not only wrote about Henry after Henry was dead, but inspired the writings of other men whose words have been repeated in hundreds of lesser books. Thus we find that there are many readers to-day who accept the overcolored tale as to a dictatorship, and even swallow the moonshine of Taylor as to Henry's willingness to give up the fight in 1781. John Taylor, of Caroline, was a blood-relative of Pendleton, and his protégé. At the age of 74, being then within six months of his grave, he told John Quincy Adams that Henry wished Virginia to be the "first to submit to Great Britain, in order that she might obtain the most favorable terms." Uttered forty-three years after the incident alleged, this strange calumny is embedded in Adams' diary. People read it, and wonder. They know that if Henry had urged such a matter in the House—and Taylor so avers—many men would have remembered it. Some of them subsequently opposed Henry with bitterness and rancor, and it would have helped them greatly if they could have pointed a scornful finger at him. No one did so. They knew that he was the same strong man and patriot in 1781, 1782, and 1783 as in the preceding years. He was the recognized leader. Jefferson himself, referring to a measure which he wished to introduce, and the attitude of the majority, said: "It was considered hopeless to attempt it with such an opponent at their head as Henry." But if Taylor of Caroline did not have so much as a half-truth upon which to base his politician's dream, it must be said that there was usually a foundation for the Monticello tales. Girardin caught them and colored them to suit, and put them into that now rare fourth volume of Burk. He says that the plan was to "impeach" Jefferson in order to set Henry up as Dictator. Now it is a fact that there was open talk of a dictatorship in the Tarleton crisis. Judge Archibald Stuart says that Henry seconded the Dictator motion in the House at

Staunton, observing that "it was immaterial to him whether the officer proposed was called a Dictator, or Governor with enlarged powers, or by any other name, yet surely an officer armed with such powers was necessary to restrain the unbridled fury of a licentious enemy." But, says Judge Stuart, the motion that Henry seconded provided for the appointment, not of Patrick Henry, but of George Washington. So the Monticello perversion is apparent in this matter, as in many other matters connected with Henry's career.

Henry, for his part, never abused Jefferson. He would not have prompted the Jefferson inquiry if he had not felt it to be his sworn duty to do so. No man was kinder hearted—no man less envious of other men in the public service. But he was not afraid. As it proved, the resolution of inquiry was superfluous. Nicholas regretted that he had made it, apologized to Jefferson, and became his ardent follower. The inquiry was held, but by that time something had happened—something that caused the sun to burst forth and shine from one end of America to the other, something truly glorious and unforgettable. Tarleton was trapped—Cornwallis—all of them. It was Yorktown that lifted the clouds. The war was as good as over.

And somehow, having mentioned the big happening, we are reminded of a little happening—a very little happening—in the woods near Yorktown. It was a retired spot, and there were two persons present—General Washington and "Pete," his servant. The General swished air with his horsewhip, and "Pete" danced. It was no legislative inquiry; nevertheless, it was an inquiry. It was as if the great man had said: "Now, you rascal! It's your turn. For seven long years have I busied myself in bloody contention. I have marched, I have fought, I have beaten the haughtiest of humankind—and now, sir, I'm going to gad *you!*"

And with this realistic bit, if we were a humorist, might we end the Revolutionary War. But in truth it had been a sad and cruel and most exhausting war. Not long after Appomattox, some one at the Virginia Springs made note of a strange sight in a ballroom. On the floor there was no lack of beautiful women, but they danced without partners. Against the walls sat a few men—all maimed. So, too, when the Chevalier de Chastellux travelled through Virginia, after the surrender of Cornwallis, he observed great numbers of men who had suffered grievous wounds. The actual hardship of those heroic times is apt to be glanced over and forgotten, as we search the records for the pleasing, the romantic, or the glorious.

Before the French soldiers scattered their silver broadcast in Virginia, there had been a long coin famine. Boys "able to shoulder a musket had never seen a guinea." Paper money was worth little, and trade was out of joint. A great number of legislative enactments bearing upon matters sequential to the war or to the change in government were needed; and Henry brought forward and pushed through some of the most important of the bills. Hening's "Statutes" and the Virginia Legislative Records set forth in detail these various measures. Twice a year, in the spring and in the fall, Henry rode up to Richmond from his new home down near the North Carolina line, and took his place as leader in the House. His chief enemy, it seems, was one of his best friends—Richard Henry Lee. They got along well in private, but frequently differed in the Assembly. Judge Roane, himself a member, tells us that "Henry was almost always victorious over Lee." He adds: "I once heard Mr. Lee say in a pet, after sustaining a great defeat, that if the votes were weighed instead of being counted, he would not have lost it." And again Roane says: "As an orator Mr. Henry

demolished Madison with as much ease as Samson did the cords that bound him before he was shorn."

But as Judge Roane's memorandum with respect to Henry is illuminating throughout, it is better to print what he says, word for word; and accordingly we do so in an appendix to this volume. Though Henry "demolished" Madison, there is reason to believe that the elder statesman gave his hand most heartily to such rising juniors as Breckenridge, who became Attorney-General, Grayson, who figured conspicuously as United States Senator, and Marshall, who won the high regard of all as Chief-Justice of the Supreme Court. Indeed, Lee and Henry needed the help of the younger men. Mason, who never liked to quit his congenial home-work on the Potomac shore, wrote to Henry:

"I congratulate you, most sincerely, on the accomplishment of what I know was the warmest wish of your heart, the establishment of American independence and the liberty of our country. We are now to rank among the nations of the world; but whether our independence shall prove a blessing or a curse, must depend upon our own wisdom or folly, virtue or wickedness. Judging of the future from the past, the prospect is not promising. Justice and virtue are the vital principles of republican government; but among us a depravity of manners and morals prevails, to the destruction of all confidence between man and man. It greatly behooves the Assembly to revise several of our laws, and to abolish all such as are contrary to the fundamental principles of justice. . . . It is in your power, my dear sir, to do more good and prevent more mischief than any man in this State; and I doubt not that you will exert the great talents with which God has blessed you, in promoting the public happiness and prosperity."

"To prevent mischief and to do good" seems to have been Henry's motto all through this period of his public service. He thought out the knotty and pressing problems of the time, and, wherever it was practical, drew up and pushed through the necessary bills. Many

of these were remedial, such as the funding measure and the bill for adjusting debts and contracts. Others were in the interest of education, and to further various internal improvements. He was especially interested in the establishment of Hampden-Sidney College, and is credited with the stipulation in its charter that none should be teachers there save those with a " sincere affection for the liberty and independence of the United States."

Critics of Henry's career, seeking to hold him to the line of his avowed principles, point to his support of the general assessment bill as a departure from the course marked out by his own beacons. The bill proposed to support religious teachers by taxation. How could Henry, a pioneer in advocacy of religious freedom, countenance such a measure? But there is a world of difference between Henry's championship of religious liberty and his championship of religion itself. The war had left wickedness in its trail—great wickedness and demoralization. Moreover, Rousseau had sent his ideas across the ocean, and certain forehints of an atheistic world-wave had alarmed Henry, who had profound faith and reverence. He was a religious man in the unconventional sense. He meant to favor no particular sect, but to aid every incorporated religious body in Virginia. He felt that society is based upon sound morals, and that without the churches decay would come, and ruin.

Of the speeches made by Henry during this period, three were particularly forcible and picturesque. He wished to do away with all restraints on British commerce. Judge Tyler spoke in opposition to any change. " In reply," says Tyler, " he was beyond all expression eloquent and sublime. After painting the distress of the people, struggling through a perilous war, cut off from commerce so long that they were naked and unclothed, he concluded with a figure, or rather with a

series of figures, which I shall never forget, because, beautiful as they were in themselves, their effect was heightened beyond all description by the manner in which he acted what he spoke. 'Why,' said he, 'should we fetter commerce? If a man is in chains, he droops and bows to the earth, for his spirits are broken (looking sorrowfully at his feet); but let him twist the fetters from his legs, and he will stand erect,'—straightening himself, and assuming a look of proud defiance. 'Fetter not commerce, sir—let her be as free as the air—she will range the whole creation, and return on the wings of the four winds of heaven to bless the land with plenty.'"

Tyler, a sincere man of fiery nature—very able, very patriotic—also opposed Henry in the matter of the return of the Tories. Henry advocated their restoration to citizenship. He said:

"We have, sir, an extensive country without population—what can be more obvious policy than that this country ought to be populated? People, sir, constitute the strength and form the wealth of a nation. I want to see our vast forests filled up by a process a little more speedy than the ordinary course of nature. I wish to see these States rapidly ascending to the rank which their natural advantages authorize them to hold among the nations of the earth. Cast your eye, sir, over this extensive country—observe the salubrity of your climate, the variety and fertility of your soil—and see that soil intersected in every quarter by bold, navigable streams, flowing to the east and to the west, as if the finger of heaven were marking out the course of your settlements, inviting you to enterprise, and pointing the way to wealth. Sir, you are destined, at some time or other, to become a great agricultural and commercial people; the only question is whether you choose to reach this point by slow gradations, and at some distant period—lingering on through a long and sickly minority—subjected, meanwhile, to machinations, insults, and oppressions of enemies, foreign and domestic, without sufficient strength to resist and chastise them—or whether you choose to rush at once, as it were, to the full enjoyment of those

high destinies, and be able to cope, single-handed, with the proudest oppressors of the old world. If you prefer the latter course, as I trust you do, encourage the husbandmen, the mechanics, the merchants of the old world to come and settle in this land of promise—make it the home of the skilful, the industrious, the fortunate, the happy, as well as the asylum of the distressed. . . . But, sir, you must have men. . . . Do you ask how you are to get them? Open your doors, sir, and they will come in. . . . Sir, they are already standing on tiptoe upon their native shores, and looking to your coasts with a wistful and longing eye. . . . They see a land in which liberty hath taken up her abode . . . her altars rising . . . her glories chanted. . . . But gentlemen object to any accession from Great Britain, and particularly to the return of British refugees. . . . Let us have the magnanimity, sir, to lay aside our antipathies and prejudices. . . . I have no fear of any mischief that they can do us. Afraid of them! What, sir, shall we, who have laid the proud British lion at our feet, now be afraid of his whelps?"

William Wirt tells us that Chancellor Wythe was so delighted with the lion-and-whelp passage in this powerful speech that he got into the habit of quoting it to his law class at William and Mary College.

Henry triumphed in this instance, as on many other occasions. One of his devices was oratorical drollery. Tyler, then Speaker, and a large number of influential delegates wished to lay taxes "commensurate with all the public demands." Henry thought that a people so lately war-ridden should be exempted from taxation as long as possible. Judge Archibald Stuart, who was present, tells of the scene when the Tyler party, having overcome Henry in Committee of the Whole, brought in their bill. Judge Stuart says:

"Mr. Henry, who had been excited and roused by his recent defeat, came forward again in all the majesty of his power. For some time after he commenced speaking, the countenances of his opponents indicated no apprehensions of danger to their cause. The feelings of Mr. Tyler, which were sometimes warm, could not on that occasion be concealed, even in the

chair. His countenance was forbidding, even repulsive, and his face turned from the speaker. Mr. Tazewell was reading a pamphlet; and Mr. Page was more than usually grave. After some time, however, it was discovered that Mr. Tyler's countenance gradually began to relax; he would occasionally look at Mr. Henry; sometimes smile; his attention by degrees became more fixed; at length it became completely so:—he next appeared to be in good humor; he leaned towards Mr. Henry—appeared charmed and delighted, and finally lost in wonder and amazement. The progress of these feelings was legible in his countenance.

"Mr. Henry drew a most affecting picture of the state of poverty and suffering in which the people of the upper counties had been left by the war. His delineations of their wants and wretchedness were so minute, so full of feeling, and withal so true, that he could scarcely fail to enlist on his side every sympathetic mind. He contrasted the severe toil by which they had to gain their daily subsistence with the facilities enjoyed by the people of the lower counties. The latter, he said, residing on the salt rivers and creeks, could draw their supplies at pleasure from the waters that flowed by their doors; and then he presented such a ludicrous image of the members who had advocated the bill (the most of whom were from the lower counties), peeping and peering along the shores of the creeks to pick up their mess of crabs, or paddling off to the oyster rocks *to rake for their daily bread,* as filled the House with a roar of merriment. Mr. Tazewell laid down his pamphlet and shook his sides with laughter; even the gravity of Mr. Page was affected; a corresponding change of countenance prevailed through the ranks of the advocates of the bill, and you might discover that they had surrendered their cause. In this they were not disappointed; for on a division, Mr. Henry had a majority of upwards of thirty against the bill."

"I have seen him," says Judge Tyler, "reply to Page, H. Tazewell, R. H. Lee, and others with such a volume of wit and humor that the House would be in an uproar of laughter, and even set his opponents altogether in a perfect convulsion. But this talent he not often indulged, deeming it beneath a statesman."

About this time, Lee, Henry, and other members of the Legislature spent a night at Edmund Randolph's

house, near Richmond. According to Wirt, Lee "entertained the company to a very late hour, descanting on the genius of Cervantes, especially as it was displayed in 'Don Quixote.' Finally the company began to yawn, but Colonel Lee did not observe it, and continued his remarks. Mr. Henry took in the situation, and rising slowly from his chair walked across the room, remarking that 'Don Quixote' was certainly a most excellent work, and most skilfully adapted to the purpose of the author; 'but,' said he, 'Mr. Lee,' stopping before him with a most significant archness of look, 'you have overlooked, in your eulogy, one of the finest things in the work.' 'What is that?' asked Lee. 'It is,' said Mr. Henry, 'that divine exclamation of Sancho: "Blessed be the man that first invented sleep; it covers one all over like a cloak."' Mr. Lee took the hint, and the company broke up in good humor."

Henry again became Governor on November 30, 1784, succeeding Benjamin Harrison. He opposed Colonel Arthur Campbell's attempt to divide Virginia into two States, and also helped to bring about the abandonment of the plan of Sevier and others to set up the State of Franklin. He was interested in the steamboat ideas of John Fitch, who visited him in Richmond; corresponded with Jefferson with regard to Houdon's statue of Washington, and with Washington himself on the subject of internal navigation. His fifth term extended from the fall of 1785 to the fall of 1786, when he declined, for a reason hereinafter noted, to serve a sixth time. His popularity was unabated. He himself seemed to be growing broader and broader in his views. In fact, he even advocated the encouragement of marriages between whites and Indians—an evidence of liberality little appreciated by some of his admirers.* As

* It is evident that Henry was not without his vagaries—who

for his broad Americanism, that too seemed limitless—when, of a sudden, a certain event of magnitude in continental politics gave him pause. What this event was, and why it affected his thoughts, his feelings, and his future course, will be explained when we come to consider his attitude towards the Federal Constitution.

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is, indeed? Even so great a stickler for personal freedom as George Mason wished Congress to regulate the food and clothing of the people of the United States.

XIV

HIS SECOND FAMILY

Lord Bacon's averment that "the care of posterity is most in them that have no posterity" did not apply to Patrick Henry. He was the father of seventeen children *—six by his first wife and eleven by his second, Dorothea Dandridge, whom he married on the ninth of October, 1777. Colonel Nathaniel West Dandridge, the father of Dorothea Henry, was a brother of John Dandridge, the father of Martha Washington. It may be taken for granted, therefore, that long before this the reader has made the acquaintance of the Dandridges. We ourselves, under the escort of young Jefferson, entered Colonel Nathaniel's family circle as far back as Christmas, 1759, when Henry's passion was for "music, dancing, and pleasantry." At that time, Dorothea, her mother's namesake, was a girl of four.

We get a curious glimpse of this Hanover household in Colonel Nathaniel's will, "a true copy" of which, "by me, John Hughes," is now at hand. It is dated October 8, 1782; and one of the minor items runs: "I give to my daughter Dorithea Henry one negro slave named Mary, now in her possession, as her absolute property; to my daughter Elizabeth, a negro girl named Sukey, daughter of Sary, and a sorrel mare called hers, as her absolute property; to my daughter Anna Katharine, a negro girl named Sally, daughter of Sary, and a sorrel mare called hers, as her absolute property; and to my daughter Mary Claibourn Dandridge, a negro

* "In the case of Henry, the cradle began to rock in his house in his eighteenth year, and was rocking at his death in his sixty-third."—Hugh Blair Grigsby.

DOROTHEA SPOTSWOOD, WIFE OF NATHANIEL WEST DANDRIDGE

(A true Colonial dame. Henry married her daughter. From a painting owned by Mrs. I. N. Jones, of Richmond.)

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girl named Sukey, daughter of Doll, and a bay mare called hers, as her absolute property."

This brings up a picture of a troop of dashaway girls, each in her own saddle, galloping to the admiration of the "cocked-hat gentry of the Old Dominion." But they had a solicitous and discreet dame for a mother—Dorothea Spotswood, daughter of Alexander, "a sagacious statesman, a gallant cavalier, and a brave and dashing soldier." He it was who, wearing his scarlet velvet, had brought with him to Virginia a concession of the right of habeas corpus, hitherto denied—a detail that serves to measure for us the stride of liberty between Spotswood's day and Henry's. Dorothea's sister Kate, famed as a beauty, was the great-grandmother of General Robert E. Lee. Dorothea's own portrait shows a woman of much comeliness, grace, dignity, and self-poise. Having herself dwelt in the "palace" at Williamsburg, she probably saw fitness in the matter when her own child entered it as the bride of "the most considerable man in the Commonwealth." Here, in the same package with the copy of her husband's will, is one of her letters, in which she affectionately mentions "my daughter Henry." "My daughter Henry" was so much younger than her husband that she retained her bloom past the century's end, remarried, and lived until the year 1831.

When Henry left Williamsburg at the end of his third term as Governor, his young wife learned what pioneering meant, for they migrated by the south-western trail to the far piedmont country. With her dower blacks, joined to Henry's; with their stock and appurtenances; with Colonel John Fontaine's family and goods in the same caravan—this was doubtless a picturesque moving.

"P. H.," says Colonel Meredith, "was perhaps the best husband in the world. It is said that he never took any important step without consulting Dolly, his wife."

"Dolly" bore him seven sons. Of their daughters, the eldest was also named Dorothea Spotswood. About the time that Sarah Butler, the second daughter, was born, Henry wrote from his new home, "Leatherwood": "I am circumstanced so as to make my attendance on Congress impossible;" therefore he declined the honor just proffered him. Perhaps if Sarah Butler had not come into the world at that time, 1780, he would have journeyed northward, would have reidentified himself with continental affairs, and later would have looked upon the confederacy with a different eye.

As it was, Henry dwelt for eight years in the region of the Dan. We have seen that he suffered a long illness in Hanover, and that he made an advantageous sale of his "Scotchtown" property there. We also know that it had been his wish to get over by the mountains. He liked them; they delighted his eye. He wished to be at the edge of the wilderness. He had a great deal of the pioneer and pathfinder in him. If he had not doubly "given hostages to fortune," and also married the State herself, it is likely that he would have passed on through the gaps and become a Sevier or a Boone. The impulse to "go west" was natural with men of his adventurous spirit and roaming disposition. Washington we associate with Mount Vernon; Mason with Gunston Hall; Lee with Chantilly; Jefferson with Monticello; and Madison with Montpelier—but there is no fixity of hall or home in Henry's case, until we find him, in his declining years, at Red Hill. There it was that the gypsy spirit left him; and there he lingered.

Like Washington, Henry put his spare money into land. In 1778 he owned two tracts in Botetourt and ten thousand acres in Kentucky. In May of that year he bought of Thomas Lomax a three-fifths part of 16,650 acres on Leatherwood Creek. Jefferson says that Henry's "purchase was on long credit, and finally paid

in depreciated paper not worth oak leaves." The facts are that Henry, who could have paid in paper money, paid £3000 in tobacco notes, worth twice as much as the depreciated currency. He raised £3500 by the sale of Botetourt land and £1500 by the sale of Kentucky land. The sum total required was £5000, and the last shilling was paid on time—December 1, 1779. Fortunately, the records of the transaction have been preserved. They show that Henry was fair and square, then as always. It is Jefferson's statement that is " not worth oak leaves."

Probably sentimental reasons influenced Henry in some degree when he moved down into Henry County. It had been set off in 1776 from the great border county of Pittsylvania, which was itself erected in 1767—a time when the elder William Pitt stood especially high with mankind. The part of Henry County nearest the Blue Ridge became the county of Patrick in 1791. Thus an extraordinary honor befell Henry in that section of the State. But so popular a man was sure to be remembered in the matter of naming things. Ohio, Indiana, Illinois, Kentucky, and Tennessee all have Henry counties. A parish was called after him; a street in Richmond; and an enormous number of babies. The steamboat " Patrick Henry " was famous in its day. In " Emory and Henry College," however, Elizabeth Henry, not Patrick, is honored.

The Leatherwood country was wild and beautiful. Within view towards the west were the spurs and knobs of the Blue Ridge. The " Pinnacles of the Dan " could not but challenge the admiration of the beholder, and the way the river leaped down the mountain-side was indeed a marvellous sight. All that was romantic in respect to rivers, hills, streams, and forests Henry must have enjoyed; but he probably did not like certain exhibitions of " squatter sovereignty " in those parts.

Some of the squatters were on his own land. It is still a wild region, and the present-day pilgrim, in crossing the high hills, may chance to spy moonshiner smoke curling up from some remote ravine.

The pilgrim sees a pleasant place when he comes to Patrick Henry's old home, on the Danville and Wytheville turnpike. It is eight miles from the Henry County Court-house, being one hundred and ninety-two miles south-west of Richmond. "Situate on the waters of the famous Leatherwood Creek," it is surrounded by "beautiful hill views, with the creek twisting itself through them, and high mountains at a distance." The creek passes south into the Dan. For many years Jesse Wootton, Sheriff of Henry, lived on the five-hundred-acre home place, which is now owned by James M. Barker. A part of the original Henry dwelling still stands. Traditions that will outlast it are heard along the Leatherwood, and in the records and archives of the Henry County Court one finds numerous references to the great Patrick.*

But if he expected restoration to health in the hilly country, with its pure air and pure spring-water, Henry was disappointed. Malaria gave him some bad turns. If he hoped to improve his fortune there, he was again disappointed. In fact, necessity compelled him to leave Leatherwood and find a seat in a more thickly populated country. Hence we see him once more on the

* N. London, writing in the Danville *Times*, of July 4, 1879, says: "The sturdy and strong-minded John Reamey, who died since the late war, resided but a few miles from the Henry mansion, and had seen Mr. Henry frequently. His fine memory retained the knowledge of Mr. H. and his manners. He was peculiarly entertaining in recounting the sharp use of tongues between his mother and the Governor, when she disappointed him in the making up of his leather breeches, at which she was expert, and which was then an art possessed by few."

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"SALISBURY"

(Henry lived here during his last two terms as Governor of Virginia. The house is thirteen miles from Richmond, on the Chesterfield side.)

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wing, and note the journey of his patriarchal caravan from the waters of the Dan to the region of the Appomattox.

We should bear in mind that Henry's expenses were all the heavier because he sought to so conduct himself while Governor as to earn the respect of all sorts of citizens. From the fall of 1784 to the fall of 1786, he lived at a seat called "Salisbury," thirteen miles west of Richmond, near the present Midlothian, in Chesterfield County. The farm spread out for the space of sixteen thousand acres, beautifully wooded, and the house was a quaint old structure. Judge Roane says: "With respect to his family, they were furnished with an excellent coach (at a time when these vehicles were not so common as at present [1814]); they lived as genteelly and associated with as polished society as those of any Governor before or since have done. He entertained as much company as others, and in as genteel a style, and when at the end of two years he resigned the office, he had greatly exceeded the salary, and was in debt, which was one cause that induced him to resume the practice of the law." In October, 1786, we find Henry writing to his sister, Mrs. Anne Christian:

"I shall resign my office next month and retire, my wife and myself being heartily tired of the bustle we live in here. I shall go to Hanover to land I am like to get of Gen. Nelson, or if that fails, towards Leatherwood again. My wife has five very fine and promising children."

Fifty years old, in debt, and with a young family to rear, Henry did not cease to think of his younger sons by his first marriage. He felt that they ought to be sent to some such college as Hampden-Sidney. Accordingly, he gave up the idea of returning to Hanover, and soon settled his family near this college, in Prince Edward County, eighty miles south-west of Richmond.

He bought of Colonel John Holcombe seventeen hundred acres of land for £2111, paying in other land and in slaves. "He dwelt on the Appomattox," says Henry Howe; and there was a beautiful avenue of black locust-trees in front of the house. Referring to Henry at this period, Judge Edmund Winston says: "He had never been in easy circumstances; and soon after his removal to Prince Edward County, conversing with his usual frankness with one of his neighbors, he expressed his anxiety under the debts which he was not able to pay; the reply was to this effect: 'Go back to the bar—your tongue will soon pay your debts. If you promise to go, I will give you a retaining fee on the spot.' This blunt advice determined him to return to the practice of the law, which he did in the beginning of 1788; and during six years he attended regularly the district courts of Prince Edward and New London."

The man who gave this advice was probably Colonel Holcombe. A fee of £5 from him was the first received by Henry since 1774. How hard he worked at the bar during the next six years will be set forth in subsequent pages. Meantime, before telling of his battle against the adoption of the Federal Constitution, it is incumbent upon us to draw closer to his domestic life during his residence in Prince Edward.

The same desk that Henry used in his office by the Appomattox is now at Red Hill; and it is filled with letters, bonds, agreements, plots of land, receipts, and private memoranda. The Prince Edward letters and documents run from 1787 to 1792. They are dry enough in the main, just as every advocate's private papers are; but a scrap here and a sentence there flash little gleams of light back into the past, and finally we get enough of this light to enable us to see "Mrs. Henry and her charming family" in their Prince Edward home. At "Salisbury" there had been five "fine and

promising" children; now there were six, seven—Dorothea, up and growing, Sarah, Martha Catharine, Patrick, Fayette, Alexander Spotswood, Nathaniel. Richard died a baby. Edward Winston and John, of Red Hill fame, would complete this remarkable family.

It so happened that Richard N. Venable, of the Prince Edward bar, kept a diary during this period, and in it we find references not only to "Patrick Henry's persuasive eloquence," as heard at the Court-house, but to Henry's home:

"Thursday, May 10, 1792. Go with brother Nathaniel to Colonel Patrick Henry's, spend the balance of the day and take dinner with him. Mr. John Fontaine's widow [Henry's eldest daughter] is here with her family, and has been here ever since the death of her husband. Mrs. Roane and her family also. What a weight of worldly concerns rest upon this old man's shoulders! He supports it with strength and fortitude, but nature must sink under the load ere long. His head now blossoms for the grave, his body bends to mingle with its kindred dust, but his fame shall remain and grow like the tall oak of the forest, that spreads its broad head in the wind and rejoices in the storm; his body shall be mingled with the dust of the plowman and be known no more, but the powers of his mind shall be a stream of light to other times."

Henry dearly loved his children and grandchildren. His son "Neddy," who died in 1794, was low in health, and was an object of solicitude at this time. His grandson, Edmund Fontaine, had just died, and news came of the death of his beloved sister Anne. So when we read in the Venable diary: "Patrick Henry sick . . . many cases continued for him . . . business much retarded by the absence of P. Henry," we are not surprised.

And now once more the roamer pulled up his tent-stakes. He sold his land on the Appomattox and moved to the wilder banks of the Staunton, buying his land in that quarter of Messrs. Fuqua, Booker, Watkins, and

others. At a later date Henry also bought lands in the same section of General Henry Lee. Since the war Lee had been one of the rising men in Virginia. "Dragoon Harry," he was called. His parents were considered unintellectual—dull, indeed; whereas the leader of the Legion was particularly quick as a thinker. So a familiar friend asked him how it happened that with such a father and such a mother he himself should be what he was. "Two negatives make an affirmative," said "Dragoon Harry," solving the puzzle.

XV.

CHIEF CRITIC OF THE CONSTITUTION.

"Mr. Speaker," said a member of the British Parliament, "I hear a lion roaring in the lobby. Shall we shut the door against him, sir, or shall we let him in to see if we are able to turn him out again?"

Which reminds us that we have now come to the stirring story of Patrick Henry and the Federal Constitution.

Americans, as a rule, like to think of Henry as one of the men who kindled the fires of the Revolution; and most people are willing to leave it at that. They feel that the logic of Nineteenth Century events proved him right in 1765 and in 1775; therefore they do not concern themselves as to whether he were right or wrong in 1788. They vaguely recall a school-book statement to the effect that he fought hard against the Federal Constitution, which the Nineteenth Century popularized. Or perhaps they remember what Roosevelt said in "The Winning of the West": "Patrick Henry himself made one slip when he opposed the adoption of the Constitution."

These lovers of the patriot days are fair-minded enough; but we have also a school of writers who seem incapable of taking a just view of Henry's attitude towards the new government. They deny, or ignore, or distort historic facts. They fetch forth a fragment of a fact, without its atmosphere, and exhibit it as a scientist would a fossil. They rely upon present sentiment to float their assertions, which go unchallenged because he who challenges them must take the unpopular side in foolish renewal of a ferocious controversy

long since ended. But while war settles controversies and gives a new direction to human affairs, prior events are not to be historically denied. And it is dishonest to color proven facts, or distort them, or dress them up, in order that they may masquerade as history. We must dig below the surface of to-day—dig through the stratum of 1861, and even go beneath another, before we can lay bare the ground on which Henry and Mason stood when they battled against the Constitution.

Both of these men were actuated by the purest of motives. Henry's stand was all the more admirable because he ran the risk not only of losing his hold as a leader, but of alienating such friends as Washington. "His hostility to the Constitution," says E. H. Cummins, "proceeded entirely from an apprehension that the government it proposed would swallow up the State authorities, and ultimately the liberty of the people would be destroyed or crushed by the overgrown, ponderous consolidation of political power." Howe says:

"He was opposed to the adoption of the Federal Constitution because he thought it gave too much power to the Federal Government; and in conversation with the father of the late venerable Senator from Prince Edward, he remarked, with emphasis: 'The President of the United States will always come in at the head of a party. You do not now think much of the patronage of the President; but the day is coming when it will be tremendous, and from this power the country may sooner or later fall.'"

Could Henry have lived another life, and still another —could he, in serene contemplation, have watched the growth of the West; the rise of industrialism; the changes wrought by the cotton-gin, by steam, by electricity, and by the thousand agencies of modern man—he would have modified many of his conclusions of June, 1788, would have cancelled many more, and would have

clung only to those which are as true to-day as they were then. Nor should we forget that Henry's hostility to the Federal Constitution served a beneficent purpose. It was necessary to put the new instrument through fire in order to test it and temper it. Henry certainly put it through fire. Not only that, he forced the adoption of the first ten amendments, and so, practically, was one of the great makers of the Constitution. Incidentally, he enunciated the principle of State Rights. But his object with respect to State Rights was to point out a future peril, and when, in course of time, he was asked to take a personal stand upon the doctrine, he refused to do so.

The question arises: Why did Henry, Mason, and their associates oppose the adoption of the Constitution, and Washington, Madison, Randolph, and their associates favor it? Then, straightway, other questions thrust themselves forward: What was the state of Henry's mind towards the general government after the war? Did he believe in a weak federation? Did he wish to see the Union kept up? And, if so, how much more power was he willing to grant Congress? Was he not less national in spirit than he had been when, thirteen years before, he stood up in Carpenters' Hall and said: "I am not a Virginian, but an American. . . . All America is thrown into one mass"? Had he not now, indeed, become one of the most Virginian of the Virginians? We have seen under what circumstances he quit the army. If he had camped with New Englanders and Pennsylvanians, if he had campaigned with Washington, perhaps he would have looked at affairs with a different eye. Let us bear in mind, also, that his opinion of Congress had been formed when it was a capable body. He had seen it at a time when it was animated with the first breathings of liberty. Zeal, determination, the pluck that takes

one to the self-sacrificial verge—these were in full flower. But later the spirit of Congress lessened. When Madison was a member, he saw how weak it was—how poor in its powers. Therefore Madison now understood the necessity of a Congress and an Executive with actual authority. He had been down in the Continental slough, and had come out of it a Federalist. Henry had not been personally in this slough, and he was less mindful than Madison of the impotence of Congress.

From a junior in Henry's Privy Council, ten years before, Madison had risen rapidly. Ceracchi's medallion of him gives us his true profile, and it shows a more virile face than that which as a rule looks so benignly down upon us. John Fiske, indeed, seems justified when he says Madison "never crossed the Atlantic; yet for the range, depth, and minuteness of his knowledge of ancient and modern histories and of constitutional law, he has been rivalled by no other English-speaking statesman save Edmund Burke." Madison and Randolph were young. They were sanguine. Age, gout, and bile make men less sanguine; and Henry, as we have seen, was as bilious as Mason was gouty. Old men grow fond of the banners they have borne in battle, and they look askance at innovations. Henry and Mason had put so much of themselves into the existing State government that they were naturally partial to it. They had erected a republican sovereignty and hedged it about with civil safeguards; and they were satisfied with their work.

But were they satisfied with the general government —a loose league of States, incapable of vigorous action? Were they more patriotic with respect to Commonwealth than to country? We are bound to ask these questions, and determine for ourselves whether Henry had lost something of his high outlook, his Continental per-

spective—in a word, his ardent Americanism of 1775 as contradistinguished from his intensified Virginianism of 1788. Of course, we should bear in mind that men grow perfervid in the first flush of war, and that when peace comes, they lapse somewhat in enthusiasm. It was so in Henry's case. He believed that his best work could be done just where he was doing it. "The idea that the States were to be the centres of political life was axiomatic in the South," says Moncure D. Conway. Henry Adams urges that Union there "was a question of expediency, not of obligation"; and he adds: "This was the conviction of the true Virginia school, and of Jefferson's opponents as well as of his supporters; of Patrick Henry, as well as of John Taylor of Caroline and John Randolph of Roanoke." But this latter generalization glitters somewhat, as the moonshine glittered on Randolph's celebrated mackerel. Beyond all question, expediency was much considered in Virginia, as in every other State; but there was also a feeling that those who had gone through the war together should have a common flag. We do not think that Henry ever forgot the full title of "The Articles of Confederation and Perpetual Union between the States." Nor until August, 1786, did he nurse in his breast any of that "jealousy of Federal power" which Rives assures us began to prevail in 1783. When Henry took alarm in the matter, it was all of a sudden, and it was on account of a proceeding which he deemed especially ominous. Let us pass speedily and in order from event to event, so that we may understand the change that came over him. In 1781 he favored an act empowering Congress to obtain a revenue by levying a duty on imports. He was at home, sick, during the fall session of 1782; and Richard Henry Lee successfully led a movement for the repeal of the act. But in the spring of 1783 another measure, duly modified so as to help Congress to the

money without compromising the State, was advocated by Henry. It would have passed, no doubt, but for a paper written by Hamilton, which alarmed many members. Again Henry attempted to assist the general government in raising the revenue, and this time, June, 1783, succeeded. His chief reason for returning to the Legislature in 1784 was that he might "strengthen the Federal arm." On May 14th of that year, William Short wrote to Jefferson:

"You will be pleased when I inform you of a conversation last evening between Mr. Henry, Mr. Madison, and Mr. [Joseph] Jones. I was left in the coffee-house with these three. Mr. Henry told them he wished much to have a conference on a subject of importance. The event of it was that Mr. Jones and Mr. Madison should sketch out some plan for giving greater power to the Federal Government, and that Mr. Henry should support it on the floor. It was thought a bold example set by Virginia would have influence on the other States. Mr. Henry declared that it was the only inducement he had for coming to the present Assembly. He saw ruin inevitable unless something was done to give Congress a compulsory process on delinquent States."

Next day Madison wrote to Jefferson: "Mr. Henry arrived yesterday, and from a short conversation I find him strenuous for invigorating the Federal Government, though without any precise plan." The plan was not long in forming. A series of resolutions so pointedly in support of Congress as to cause them to be called "coercive" were adopted in Committee of the Whole; and Henry stood out as the champion of the general government. This act, in line with Henry's whole conduct up to that moment, and up to August, 1786, was not forgotten by those who sought to overthrow him in the course of the Constitutional debates. "I am sure that the gentleman recognizes his child," said George Nicholas, with some sarcasm, meaning the child Coercion. Undoubtedly Henry must have

disapproved of much that was going on in Congress. Months before the coercive plan, Pierce Butler wrote from Philadelphia to Judge Iredell, of North Carolina:

"So greatly altered is this once august body, that as little as possible is intrusted to them. And yet, among them are many individuals of the strictest honor and great worth; but, as a body, there is little dependence to be placed on them. The Northern interest is all prevalent; their members are firmly united, and carry many measures disadvantageous to the Southern interest. They are laboring hard to get Vermont established as an independent State, which will give them another vote, by which the balance will be quite destroyed."

But if Henry knew of this beginning of sectional friction, it does not seem to have affected him. What was it, then, that caused him all at once to turn about in alarm, look, bristle, and say, in substance, "I am persuaded from what I see that the General Government is strong enough as it stands"? Who was it, and what?

Again may we pass speedily and in order from event to event. By the Treaty of Paris, the Mississippi River was left open to American shipping. New England now proposed that it should be shut for twenty-five or thirty years; otherwise she would secede. This it was that struck Henry aback and made him an Anti-Federalist. Moses Coit Tyler declares that the effect upon him was "powerful enough to reverse entirely the habitual direction of his political thought and conduct." Moncure D. Conway, speaking of the proposed occlusion of the Mississippi, says: "From that time Patrick Henry, who ruled the heart of his State, became jealous of the Federal power; and he watched the proceedings at Annapolis for a commercial union with suspicion."

The whole story of the project was told in a letter received by Henry from his friend James Monroe, afterwards President, at that time a Virginia delegate

in Congress. They wrote long letters in those days, and this one by Monroe, dated New York, August 12, 1786, contained more than two thousand words. Monroe began by lamenting the lack of a cipher in which to convey his secret and critical news. Don Diego Guardoqui, the envoy of Spain, who had arrived in America in July, 1785, was negotiating a treaty with John Jay. Guardoqui's object was to win the Mississippi Valley for Spain, and he was seeking to trade off Southern interests for Northern support in Congress. He tempted the Northern men with open Spanish ports, and even promised to buy masts and ship-timber for the royal navy from the New Englanders. The Articles of Confederation required the sanction of nine States in a treaty; but it was proposed to push the Jay-Guardoqui treaty through with seven. "This is one of the most extraordinary transactions I have ever known," wrote Monroe. One great object was "to break up the settlements on the Western waters," to "keep the States southward as they now are," and "throw the weight of population eastward, and keep it there." Committees of Eastern men had been discussing "the subject of a dismemberment of the States east of the Hudson from the Union, and the erection of them into a separate government." Another scheme for dismemberment divided the two confederacies at the Potomac.

If this be unpleasant reading for us, how much more disillusionizing and saddening and shocking it must have been for Patrick Henry! He was peculiarly interested in the West and South-west. There had always been a magnet in that part of the country, drawing him thither in his dreams. He loved it. His dear Anne was grieving beyond the mountains at that moment for her lost husband.* Kentucky was not Kentucky to

* Colonel William Christian, husband of Anne Henry, was

him, but as much a part of Virginia as the ground upon which he walked. As Governor, he was in duty bound to protect all that vast territory, a third larger than Great Britain and Ireland; and it would be a present crime against the State, as well as a crime against the future population in the Mississippi Valley, if the snags and mud of Jay and Guardoqui should be permitted to choke the noble river, up which would come creeping innumerable alligators, and with them Spanish civilization. No wonder the imaginative old patriot was sobered and soured. As William Wirt Henry expresses it: "That the Northern States, for which Virginia had done so much, should, from a purely selfish policy, attempt to barter away the navigation of the Mississippi, so valuable to her, at the risk of losing the all-important Western country, was a shock to him indeed." A week after the Virginia House of Delegates had adopted a series of resolutions against the Jay-Guardoqui project, Madison wrote to Washington from Richmond:

"I am entirely convinced, from what I observe here, that unless the project of Congress for ceding to Spain the Mississippi for twenty-five years can be reversed, the hopes of carrying this State into a proper Federal system will be demolished. Many of our most Federal leading men are extremely soured by what has already passed. Mr. Henry, who has been hitherto the champion of the Federal cause, has become a cold advocate, and in the event of an actual sacrifice of the Mississippi by Congress will unquestionably go over to the other side."

A little later, John Marshall wrote to Arthur Lee:

"Mr. Henry, whose opinions have their usual influence, has been heard to say that he would rather part with the confederation than relinquish the navigation of the Mississippi."

"killed in action by the Indians, April 9, 1786, aged 43. The stout hero," says Wallace, "was laid to rest at his seat called 'Oxmoor,' a few miles from Louisville, on the Beargrass."

Madison and Edmund Randolph, who succeeded Henry as Governor, were adroit and tireless workers in behalf of the establishment of a new order of things. What a pity it is that a shadow fell upon the otherwise splendid career of Edmund Randolph! In a time of rancorous politics, his enemies accused him of peculation, and his fame suffered a long eclipse. Moncure D. Conway is sure of his innocence; and we should rejoice to believe in it. But whether we regard him as guiltless or as a lesser Lord Bacon, we are obliged to recognize the magnitude of his services at this critical period in American affairs. Madison says that the first man to suggest in print that a Constitutional Convention be held was Pelatiah Webster, "an able but not conspicuous citizen," who published a pamphlet on the subject in May, 1781. In a private letter to James Duane, Alexander Hamilton had made a similar suggestion as early as September 3, 1780.

As to the actual origin of the Convention: Certain Maryland and Virginia Commissioners, seeking to form a navigation compact, found that they lacked power in essential matters; hence, in sequence, the Annapolis conference between delegates from five States; hence, in further sequence, the election of deputies by the Legislatures of twelve States, to meet at Philadelphia in the spring of 1787. The winter that intervened was an anxious and busy time for such ardent Federalists as Madison and Randolph. In a flattering and persuasive letter, Randolph notified Henry of his appointment as one of the seven Virginia deputies, and reminded him that "the neglect of the present moment might terminate in the destruction of Confederate America." But Henry replied: "It is with much concern that I feel myself constrained to decline acting under this appointment." He gave no reason. Probably Randolph again urged him to accept; for, on March 1, the

Governor wrote to Madison that Congress must have done with all talk of shutting up the Mississippi, adding: "It will not be sufficient to negative it merely; but a negative with some emphasis can alone secure Mr. Henry to the objects of the Convention at Philadelphia. I have essayed every means to prevail on him to go thither. But he is peremptory in refusing, as distressed in his private circumstances." Madison wrote to Washington: "I hear from Richmond, with much concern, that Mr. Henry has positively declined his mission to Philadelphia. Besides the loss of his services on that theatre, there is danger, I fear, that this step has proceeded from a wish to leave his conduct unfettered on another theatre, where the result of the Convention will receive its destiny from his omnipotence." To Jefferson, then in France, Madison wrote that though the Mississippi was not to be sacrificed, "the intention and the attempt" had done harm. "Mr. Henry's disgust," he said, "exceeds all measure, and I am not singular in ascribing his refusal to attend the Convention to the policy of keeping himself free to combat or espouse the result of it, according to the result of the Mississippi business, among other circumstances."

Thus it is clear that Henry was in no state of mind to surrender sovereign attributes of any sort for the sake of strengthening a general government which had just demonstrated that it might become a curse instead of a blessing. It may be said that he made too much of the Mississippi matter; it may be urged with pertinency that the languishing trade of Northern ports excused, or at least explained, the readiness of the people to fall in with the design of the Spanish intriguer; it may be contended that Henry was precipitate, that he prejudged the Constitution before it was born, and that he should have gone to Philadelphia, where he could

have used the thunder-claps of his eloquence to clear the air and frighten the pygmy Guardoquis back to Spain. It would have been well, indeed, if Henry had made his fight on the floor of the Convention hall. In the nature of things, he belonged there. But he elected to remain at home; and it followed that he would become the catechist of the makers of the Constitution—its chief critic and its most savage assailant. That he finally became its firm and faithful friend is aside from the present point.

Washington at first declined to go to the Convention, but his reason for declining was altogether different from Henry's. With Henry, liberty was an emotion, a passion; he was republican to the core, and when stirred was intensely imaginative. He and Mason still distrusted the old aristocrats. Theodore Parker says that John Adams "doubted the nation's genius"; and it would seem at times that Henry and Mason were less sure of the people than they should have been. At a later period than the one we are now considering, Washington was almost in despair; but in the winter of 1787 he was disturbed more by the apprehension that the country might break up than by fears of aristocrats or democrats or Guardoquis. Foreign nations, he said, "must see and feel that the Union, or the States individually, are sovereign, as best suits their purposes; in a word, that we are a nation to-day, and thirteen to-morrow. Who will treat with us on such terms?" His experiences as Commander-in-Chief had federalized him, and he constantly encouraged Madison, Randolph, Hamilton, and others in their efforts to reform the government. But he had declined an invitation to a spring meeting of the Cincinnati in Philadelphia, and was loath to offend his old comrades by journeying thither on another errand. Therefore, being considerate and punctilious, he refused to go to the Convention

until the difficulty was removed. This accomplished, he took the chair in Congress Hall on the 25th of May, and from that time became identified with the new instrument, and it with him. But for the work he did upon the Constitution, he might not have become so attached to it. But for the enormous prestige he gave it, there is doubt whether it could have lived. Henry's substitute in the Convention was Dr. James McClurg, of Richmond. McClurg was a patriot, a "character," and a true man. Mordecai declares that he was "the most skilful and accomplished medical officer" in the Revolution. He was devoted to Henry, and Henry to him. Madison, Randolph, and Marshall were the Virginia Federalists, while Colonel William Grayson, Monroe, and Mason were staunch State Sovereignty men. But Mason was zealous for better government. He declared that he would "bury his bones in Philadelphia sooner than expose his country to a dissolution of the Convention without anything being done." Edmund Randolph introduced fifteen resolutions setting forth the "Virginia plan." Nineteen resolutions based on this plan were reported from the Committee of the Whole on the 13th of June. It was "a system of government in outline." Two days later, the "New Jersey plan," proposing amendments to the existing articles, was introduced. Four days after that, the Committee reported in favor of the "Virginia plan." Then came much hard work and much in the way of heart-burnings. Finally the Constitution was agreed to. It was signed on the 17th of September, and among the sixteen deputies who refused to sign it were Mason, Randolph, and Gerry. Mason said that he would "sooner chop off his right hand than put it to the Constitution as it then stood." Franklin said: "Several parts of this Constitution I do not at present approve, but I am not sure I shall never approve them. It astonishes me to

find this system approaching so near to perfection. I assent to this Constitution because I expect no better, and because I am not sure it is not the best. The opinions I have had of its errors I sacrifice to the public good."

Would Henry have said the same if he had been present? Hardly. He would have stood with Mason. Yet Washington still hoped that Henry might be induced to countenance the new government. He sent Henry a copy of the Constitution and a placatory letter. He was at pains to emphasize the compliment by forwarding it "in the first moment after my return" to Mount Vernon. In his reply Henry said: "I have to lament that I cannot bring my mind to accord with the proposed Constitution. The concern I feel on this account is greater than I can express." His "regard" for Washington and his "attachment" to him would be "unalterable," but——.

There was much in the "but." Henry was now in the Legislature as a member from Prince Edward, and led the House. At the autumn session he seemed to be training himself for a great conflict and skirmishing for position. One of his fiercest and most prolonged debates was over a bill repealing acts in conflict with the treaty of peace. He opposed it, and won, on the plea that repeal should be contingent upon Great Britain's compliance in the premises. Mason worked with Henry on the grander theme then agitating the whole country, and when the Legislature adjourned for the session, it was understood that the battle in Virginia would open in March, 1788, when the people would elect delegates to ratify or reject the Federal Constitution.

Henry had a disagreeable experience in the preliminaries. Before a great concourse of Prince Edward people, during court-week in February, he offered him-

self as a candidate for the Convention, made a powerful speech, and, at its conclusion, lingered awhile in the throng, expecting a Federalist reply from John Blair Smith, the distinguished clergyman and orator, then at the head of Hampden-Sidney College. But President Smith was kept away by the death of a friend. Later, when Henry, as a College trustee, was present at a debate, his own speech, caught in short-hand, was given by one student and Smith's reply by another. The incident caused ill feeling, and led eventually to President Smith's resignation.* This, however, was but one of numerous happenings of a bitter spring. Henry remarked that in the smaller, eastern counties aristocratic Federal delegates were being chosen, and in the larger, western counties Anti-Federal delegates. He complained of Federal tricks. He noted that by May 23 eight States had adopted the Constitution, and his eagerness to begin his forensic battle added to the intensity of his feeling. As he was about to leave Prince Edward Court-house for Richmond, a veteran fox-hunter tapped him on the shoulder, saying: "Old fellow, stick to the people! If you take the back track, we are gone."

Finally the day came. It was Monday, the 2d of June, and the Capitol—the Old Capitol—was like a hive. So great was the crowd, indeed, that on the following day the Convention assembled in a larger audience hall—that of the New Academy on Shockoe Hill. Monumental Church, a memorial to seventy-two

* An anecdote by Grigsby implies that Henry and Smith actually met in debate. Dr. Smith is said to have pressed the question upon Henry why he had not taken his seat in the Convention and lent his aid in making a good Constitution, instead of staying at home and abusing the work of his patriotic compeers. Henry, with that magical power of acting in which he excelled all his contemporaries, and which before a popular assembly was irresistible, replied: "I SMELL A RAT!"

persons, including the Governor of the State, who perished in a theatre fire at Christmas, 1811, marks the site of the building. Mordecai, in his "Richmond in Bygone Days," says that Chevalier Quesnay erected the structure used by the Convention, his purpose being to found an Academy of the Fine Arts. No pictures that could have been hung upon its walls, even though painted by a West or a Trumbull, would have equalled the actual scene, or series of scenes, now framed by those walls from day to day. We may well think of the delegates as all alive, and with a variety of mud-spatters on their stockings—red, yellow, black splashes—and a variety of dust in their wigs; for there were one hundred and seventy of them, and they had come on wheels or on horseback along many roads, from every part of Virginia.* Pendleton presided; but when the

* Hugh Blair Grigsby's "History of the Virginia Federal Convention of 1788," edited by R. A. Brock, is to be found in the Virginia Historical Collections, Vols. IX and X. Grigsby paints a picture of the arrival at Richmond of Henry and Pendleton: "Though not personal enemies, they rarely thought alike on the greatest questions of that age, and they came aptly enough by different roads. One was seen advancing from the south side of the James, driving a plain and topless stick gig. He was tall, and seemed capable of enduring fatigue, but was bending forward as if worn with travel. His dress was the product of his own loom, and was covered with dust. He was to be the master-spirit of the Convention. The other approached from the north side of the river in an elegant vehicle, then known as a phaeton. . . . They met on the steps of the Swan and exchanged salutations. Public expectation was at its height when it was known that Patrick Henry and Edmund Pendleton, who for a quarter of a century had been at the head of the two great parties of that day, were about to engage in another fierce conflict in the councils of their country." We have another picture of Henry and Mason walking arm in arm from the Swan to the Convention hall—Mason "dressed in a full suit of black," and remarkable for the "urbanity and dignity" of his bearing.

Convention sat in Committee of the Whole, as it usually did, he gave Chancellor Wythe the gavel and took the floor, that he might chasten the logic and confute the arguments of his old-time enemy. David Robertson, the Petersburg stenographer, was in the hall, and, with the help of another short-hand writer, hoped to take down everything that was said; but he was given "an ineligible seat." Doubtless he could hear the noisy robins outside better than he could some of the speakers. He admits that he could not follow Henry in his tremendous flights. Breaks in his copy indicate as much; and in our fancy we visualize the good stenographer, elbows on table, quill in hand, listening with all his might—not for the edification of the curious in times to come, but because he was under a spell, a bit fascinated, perhaps, just as others were at that moment. A lack of coherence is noted in some of the reported speeches; the logic limps; evidently it was no easy task to put upon paper a literal record of that prodigious disputation.

Every one of consequence understood the issue. It was strict Federalism, with new and nationalistic attributes, against a loose union of local governments. Every one of clear comprehension understood the binding effect of the final yea and nay. Madison was blunt, but not too blunt, when he declared: "The Constitution requires an adoption *in toto* and forever." Many of the members likewise appreciated the dramatic aspects of this grand game in fundamental politics. The New York Convention was to meet on the 17th and the New Hampshire Convention on the 18th, and the news of the three was to be borne to and fro by men riding express. It was a device set up by Hamilton and Madison, with the idea that they might thus be able to utilize the inspiriting effect of a victory in one State to win votes in another. So do generals in a critical campaign

send off their couriers breakneck and sound their fanfares to animate their men. Henry's party had no such arrangement; yet the Anti-Constitutionalists were active indoors and out. Mason was chairman of the Virginia branch of the "Federal Republicans," a society organized in New York, under the guidance of General John Lamb, with whom Henry was in correspondence. Its purpose was to bring the amendments to be proposed in the several States into close order and uniformity, so that they might constitute a rear line of intrenchments in the event of defeat at the outstart of battle.

Though not present in person, Washington was the leader of the Federalists in the Richmond struggle. His spirit was there. His line of battle contained Madison, Randolph, Marshall, Pendleton, Wythe, Wilson Nicholas, George Nicholas, Corbin, Innes, and "Dragoon Harry" Lee. Henry's was held very largely by himself, but a great man stood with him whenever Mason rose to speak, and they counted among their supporters Monroe, Tyler, Dawson, Grayson, Harrison, and other orators and logicians of high repute.

It was agreed to take up the Constitution clause by clause; but in a little while it became apparent that a wiser way was to place no check upon the speakers, who were given the widest latitude. Wilson Nicholas opened the debate; Henry followed him; then came Randolph; then Mason; then Madison. They all slept on the theme, and next morning Pendleton and Lee led off, after which Henry again took the floor. And so it went for twenty-three days, Henry speaking on eighteen. "On each of several days," says Tyler, "he made three speeches; on one day, he made five speeches; on another day, eight. In one speech alone he was on his legs for seven hours." In Jonathan Elliot's five-volume collection of ratification debates, the third volume, of six hundred and sixty-three pages, is devoted

to those in Virginia, and Henry's speeches take up nearly one-fourth of the book. In one instance a speech is spread out upon forty pages.

Henry declared himself a Unionist. "I mean not to breathe the spirit nor utter the language of secession," said he. "Separate confederacies will ruin us. . . . Sir, the dissolution of the Union is most abhorrent to my mind. The first thing I have at heart is American liberty; the second thing is American union." He set great store by what had been gained. "The voice of tradition, I trust, will inform posterity of our struggles for freedom." Might not the fruits of the struggle be lost? He was suspicious—he admitted his suspicion. "But, sir, suspicion is a virtue as long as its object is the preservation of the public good." Others likewise were filled with grave mistrust, with foreboding. "I speak as one poor individual—but when I speak, I speak the language of thousands. . . . I see great jeopardy in this new government; I see none from our present one. The Confederation—this same despised government—merits, in my opinion, the highest encomium; it carried us through a long and dangerous war; it rendered us victorious in that bloody conflict with a powerful nation; it has secured us territory greater than any European monarch possesses: and shall a government which has been thus strong and vigorous be accused of imbecility and abandoned for want of energy?" But granted that some change was necessary. "The Federal Convention ought to have amended the old system—for this purpose they were solely delegated." Given an inch, they had taken an ell. He demanded the cause of their conduct. "Even from that illustrious man who saved us by his valor, I would have a reason for his conduct—that liberty which he has given us by his valor tells me to ask this reason. . . . The distinction between a National Govern-

ment and a Confederacy is not sufficiently discerned. Had the delegates who were sent to Philadelphia a power to propose a Consolidated Government instead of a Confederacy? . . . Have they said 'We, the States'? Have they made a proposal of compact between the States? If they had, this would be a Confederation: it is otherwise most clearly a Consolidated Government. The question, sir, turns on that poor little thing, '*We, the People,*' instead of *the States,* 'of America.' . . . A number of characters, of the greatest eminence in this country, object to this government for its consolidating tendency. This is not imaginary. It is a formidable reality. . . . This government will operate like an ambuscade. It will destroy the State governments, and swallow the liberties of the people. . . . If gentlemen are willing to run the hazard, let them run it; but I shall exculpate myself by my opposition and monitory warnings within these walls. . . . Here is a revolution as radical as that which separated us from Great Britain. It is as radical if, in this transition, our rights and privileges are endangered and the sovereignty of the States shall be relinquished. The rights of conscience, trial by jury, liberty of the press, all your immunities and franchises, all pretensions to human rights and privileges, are rendered insecure, if not lost, by this change, so loudly talked of by some, so inconsiderately by others. . . . You ought to be extremely cautious, watchful, jealous of your liberty; instead of securing your rights, you may lose them forever. If a wrong step be now made, the Republic may be lost forever." Let the new plan be examined minutely. Here is delegated "a power of direct taxation, unbounded and unlimited. . . . Your militia is given up to Congress. . . . My great objection to this government is that it does not leave us the means of defending our rights, or of

waging war against tyrants. . . . Will the oppressor let go the oppressed? Was there ever an instance? Can the annals of mankind exhibit one single example?" We may amend the Constitution, but one-tenth can defeat all amendment. "We drew the spirit of liberty from our British ancestors; by that spirit we have triumphed over every difficulty. But now, sir, the American spirit, assisted by the ropes and chains of consolidation, is about to convert this country into a powerful and mighty empire. . . . If your American chief be a man of ambition and abilities, how easy it is for him to render himself absolute! . . . What will then become of you and your rights? Will not absolute despotism ensue?" And the Senators of this splendid government, would they not be corrupted —would they not sell themselves to those who had cause to buy them? But there will be luminous characters to conduct the Federal Government. "It will not avail unless this luminous breed be propagated from generation to generation; and even then, if the number of vicious characters preponderate, you are undone. . . . You will sip sorrow" if you give away your rights. "Congress, by the power of taxation and by their control over the militia, have the sword in one hand and the purse in the other. Shall we be safe without either? When did freedom exist when the sword and purse were given up from the people? Unless a miracle in human affairs interposed, no nation ever retained its liberty after the loss of the sword and purse." There must be a Bill of Rights. Why not? They should be written down and solemnly subscribed to. Why leave anything to chance? Law in Virginia was no law at all if it was contrary to their own Bill of Rights. "If you give up these powers without a Bill of Rights, you will exhibit the most absurd thing to mankind the world ever saw, a gov-

ernment that has abandoned all its powers—the power of a direct taxation, the sword and the purse. You have disposed of them to Congress without a Bill of Rights—without check, limitation, or control. . . . You have a Bill of Rights to defend you against the State government, which is bereft of all power; and yet you have none against Congress, though in full and exclusive possession of all power. . . . If you will in the language of freemen stipulate that there are rights which no man under heaven can take from you, you shall have me going along with you—not otherwise." But the Constitution as it stands "has an awful squinting; it squints towards monarchy. And does not this raise indignation in the breast of every true American? Your President may easily become King. . . . No, sir, I have not said the one hundred thousandth part of what I have on my mind. . . . It is impiously irritating the avenging hand of heaven when a people who are in the full enjoyment of freedom launch out into the wide ocean of human affairs, and desert those maxims which alone can preserve liberty."

Such was the spirit and such the burden of Henry's tremendous outpouring. But, in thus compressing some tens of thousands of words into a few hundred, we have been unable, of course, to follow his full and orderly line of thought—sustained, as it was, hour after hour, day after day. Nor have we successfully indicated the multitude of analogies and facts used by him to exemplify or clinch his arguments. He frequently referred to the attempt to close the Mississippi River—a burning matter with him. He discussed the governments of Europe, which he said was "enslaved by the hands of its own people," and he eulogized the British government. He spoke upon the danger of secrecy in Congress, and enlarged upon elections, the judi-

ciary, paper money, and British debts. There should be checks on the treaty-making. Checks and balances should be provided wherever there was likelihood that the liberties of the people would be infringed.

As with Mason, Henry's mind constantly went back to the period of struggle prior to the Revolution. Many wise words were spoken during the debates, and not a few of them by Mason. Because he had made a life study of the subject, it was easy for him to clothe an elusive and abstruse governmental truth in simple words that made it plain and incontrovertible; but it was hard for him, just as it was for Henry, to get away from the thoughts that had dominated him in more heroic days.

Pendleton, who held that the people, not the States, were "the fountain of power," assured them that "there was no quarrel between government and liberty." He tried to make them forget the pre-Revolutionary fight, and imagine that the Constitution before them "had dropped from one of the planets." If so, it would be looked at and admired. The Confederation was of slight account. It was the American spirit that had won the Revolution. "From Congress to the drunken carpenter," the people had cried, "United we stand"; and that was why victory had come.

Pendleton was a close reasoner, but Madison was the master-spirit among the Federalists. Like Marshall, he was a temperate disputant, with an habitual appeal to sound sense; but, aside from his skill in dialectics, he was armed at all points because of his specialization along present lines, and also because of his abiding faith in the instrument before them.

We have said that wise words were spoken. "What are the favorite maxims of democracy?" asked Marshall; and he answered: "A strict observance of public faith and a steady adherence to virtue. These, sir, are

the principles of a good government. No mischief, no misfortune, ought to deter us from a strict observance of justice and the public faith." But immediately, and with lack of wisdom, Marshall attacked Henry on the score of a happening when the Revolution was in progress. Randolph joined in the attack; and, strange to say, Henry's defence of himself was less effective than a simple recital of the facts would have been. The implication was that Henry and the Legislature were to blame for attainting a Tory outlaw of the Great Dismal, one Josiah Philips. This man was a war-time bandit, at the head of a gang of desperadoes who eluded the militia by hiding in the swamp in daylight, after striking defenceless points at night. Henry wrote to the Speaker of the House about him, and the Assembly, on its own initiative, passed a bill of attainder, notifying the bandits that if they failed to surrender within a month, they stood attainted of treason and should suffer death. Philips was caught, tried for highway robbery —not treason—and hanged. But in the Convention Henry failed to recall the actual facts; and Randolph, who had tried the man, also made the strange blunder of scoring Henry for an act of injustice in putting a man to death under a bill of attainder. The Homers, it seems, were all nodding.

But Henry was not nodding when George Nicholas intimated that certain land transactions in which various gentlemen had engaged were not as they should have been. It was probably intended as a grazing shot. "I mean what I say, sir!" said Nicholas, angrily, when called to account; but Henry, who had in his time bought a great deal of land, and who might therefore be misjudged in this connection by delegates from distant parts, forced Nicholas to apologize. "I hold what I hold in right, and in a just manner," said Henry; and the Convention stood convinced.

There were other personalities. The contention at times was sharp. No point was lost. Believing as he did that there was "poison under the wings of the Constitution," Henry fought with every legitimate weapon.

Now, it so happened that Randolph, in particular, repeatedly invited attack. He had laid himself open to it by his shifting course; for, though he had refused to sign the paper at Philadelphia, he now acted as if he regarded himself as its chief champion and wished others to so regard him. This was too much for Henry, who, with cutting sarcasm, naming no names, called attention to the inconsistency. Randolph was "touched to the quick," and cried out: "I find myself attacked in the most illiberal manner by the honorable gentleman. I disdain his aspersions and insinuations. His asperity is warranted by no principle of parliamentary decency, nor compatible with the least shadow of friendship; and if our friendship must fall, let it fall like Lucifer, never to rise again!" There was so much excitement that the reporter used his eyes and ears, but forgot to use the hand in which he held his quill. He noted, however, that Randolph threatened to disclose certain facts that would make "some men's hair stand on end." Henry demanded immediate disclosure on the Convention floor; but Randolph's threat was evidently idle, probably originating in a baseless tavern tale; and he refused to reveal what it was with which he proposed to bring about this horripilation. But a duel was looked for. Roane says that Henry called on Randolph, "with old Will Cabell as his friend," adding: "I heard the latter say that Mr. Henry acted with great firmness and propriety. He let Mr. Randolph down, however, pretty easily, owing to the extreme benignity of his disposition." *

* In a letter to Judge Carr, Wirt speaks of "some ugly traits

This and other incidents, one of which shows us Henry as a solicitous father, even when absorbed in his great public work, serve to bring us close to the man. William Wirt Henry, telling of the impressive speech of the 5th of June, says:

"In the midst of his argument he recognized the face of his son, whom he had left to protect his family in his absence, and he knew that some important domestic event had brought him to Richmond. He hesitated a moment, stooped down, and with a full heart whispered to a friend near him: 'Dawson, I see my son in the hall; take him out.' Mr. Dawson at once withdrew with young Henry, and soon returned with the grateful intelligence that Mrs. Henry had given birth to a son, and that both mother and child were doing well. The new-born babe was named Alexander Spotswood, and lived to be familiar with his father's features and to enjoy his fame, and at the age of sixty-five was laid by his side in the quiet burial-ground at Red Hill."

On this 5th of June, as we learn from the "Life of Archibald Alexander," the distinguished General Thomas Posey was so carried away by Henry's eloquence that he made up his mind then and there not to vote for ratification. But no sooner had he got out from under the magical spell of the orator than he began to see the matter exactly as he had seen it before. Grigsby assures us that when Henry dwelt upon the way a tyrant in the Presidency might in time shackle the common people, Mr. Best, of Nansemond, "involuntarily felt his wrists to assure himself that the fetters

in Henry's character"; but he was thinking of Henry's politics. Elsewhere he said that he had set down against Henry everything known to him of a derogatory nature. Practically he gave us nothing of consequence reflecting upon Henry, because there was nothing to give. Though Wirt's book was "a labor of love," he was glad when he had finished it. "As for Patrick—he is the very toughest subject I ever coped withal. . . . Many a weary league have I travelled with old Patrick."

were not already pressing his flesh." Moreover, Best used to say that "the gallery in which he sat seemed to become as dark as a dungeon." * So many of Henry's hearers affirmed as to his exceeding power in this oratorical particular that it should be accepted as beyond question. He could take a man's spirit out of him and absolutely charm it. But Chief-Justice Marshall wished it to be understood that Henry was not an orator as we usually take the word. He was much more than that, said Marshall; he was "a learned lawyer, a most accurate thinker, and a profound reasoner. If I were called upon to say who of all the men I have known had the greatest power to convince, I should perhaps say Mr. Madison, while Mr. Henry had without doubt the greatest power to persuade." It is interesting to note that this verdict by the illustrious Chief-Justice came down to us from the lips of Judge John Scott ("Barbarossa"), author of "The Lost Principle, or the Sectional Equilibrium."

By the 23d of June the Federalists had decided that it would be unwise to come to a vote without making a concession as to amendments. Accordingly, Chancellor Wythe left the chair next day, and, in behalf of the Madison party, proposed that Virginia should ratify,

* Grigsby says: "I was told by a person on the floor of the Convention at the time, that when Henry had painted in the most vivid colors the dangers likely to result to the black population from the unlimited power of the general government wielded by men who had little or no interest in that species of property, and had filled his audience with fear, he suddenly broke out with the homely exclamation: *'They'll free your niggers!'* The audience passed instantly from fear to wayward laughter; and my informant said that it was most ludicrous to see men, who a moment before were half frightened to death, with a broad grin on their faces." Here is another Grigsby note: "I have heard Governor Tazewell say that he has seen Henry in animated debate twirl his wig several times in rapid succession."

with a recommendation to amend. Henry put forward a substitute demanding prior amendments and a Bill of Rights. This at once re-precipitated vigorous combat, which lasted for two days. Henry spoke three times. The second speech—that of the 24th of June—is famous as "the thunder-storm oration." Following Madison, Henry made an appeal in which he seemed to surpass himself. With infectious solemnity he reiterated his fears that the new bond would bring woe upon the land. He called upon the powers above to illumine the darkness and show to all the imperfections of the instrument before them. "I see," he cried, "the awful immensity of the dangers with which it is pregnant. I see it. I feel it. I see beings of a higher order anxious concerning our decision."

"When, lo!" says Wirt, "a storm at that instant rose, which shook the whole building, and the spirits he had called seemed to come at his bidding. Nor did his eloquence or the storm immediately cease; but availing himself of the incident with a master's art, he seemed to mix in the fight of his ethereal auxiliaries, and, 'rising on the wings of the tempest, to seize upon the artillery of heaven, and direct its fiercest thunders against the heads of his adversaries.' The scene became insupportable; and the House rose without the formality of an adjournment, the members rushing from their seats with precipitation and confusion."

At the outset the Federalists had counted upon a majority of fifty. Now Madison was concerned lest he get no majority at all. On the day following the storm-scene, he closed his contention with the words: "Let us join with cordiality in those alterations we think proper. There is no friend to the Constitution but will concur in that mode." Henry said that whether he should win or lose, he would be "a peaceable citizen." He added: "My head, my hand, my heart, shall be at liberty to retrieve the loss of liberty, and to remove

the defects of that system in a constitutional way." His resolution was voted down, 88 to 80; Wythe's carried, 89 to 79. And thus ended a Convention which, as Rives expresses it, was "second in importance only to that which produced a Constitution."

Arnauld, in his "Logic," as cited by Sainte-Beuve, says: "The greater part of men's errors come less because they reason ill on true principles than because they reason well on false ones." Was Henry arguing upon false principles in this great debate? If Socialism, sweeping down upon us in a time of wide-spread stagnation, should overturn our government, and then should itself fail and fall away, would a Henry argue for a return to State Sovereignty or a return to the Nationalism of the present? Were Henry alive at such a crisis, he would say: "The Federal Constitution, as amended, as interpreted, as put to the proof by time, is the great shield for us all. In its embryo shape, it did not suit some of us. But since that day a thousand things have happened. Conditions have changed. Mankind is knit together from sea to sea. It is marvellous." Of the forty-five States, Henry would remark that thirty-two are veritable children of the Constitution. He would see that their Federal ties were filial and complete. War, that potent logician which in 1788 had developed State Sovereignty in its full pride before his eyes, had in 1861 subdued that pride—and this, too, he would note, recalling as he did so that he had felt the threat of it and the ache of it in his prophetic bones. He would observe that within their spheres the States still retain their functional rights. Surprise would be his, and pleasure.

In the Convention of 1788, Henry voiced the solemn conviction of nearly half the people of the United States. Lowndes, of South Carolina, wished his epitaph to be: "Here lies the man that opposed the Constitution,

because it was ruinous to the liberty of America." Luther Martin, of Maryland, was absolutely sincere when he said that he would be willing to become a pauper if by so doing he could save his country from an experiment fraught with peril. The *Federalist* papers of Madison, Hamilton, and Jay had not as yet produced their effect. Henry, in a word, was by no means the only "nervous patriot" in America. Profoundly enamored of liberty, it was natural that he should apprehend numerous evils which never arose. Liberty and civil security constituted his postulate in the Convention debates. Fundamentally, therefore, he was sound. Aside from his general distrust of a consolidated government and from his failure to foresee the miraculous fruitage of civilization on these shores —which he himself had helped to make brighter in the eyes of mankind, magnetic, indeed, to mankind—his mistakes were the minor mistakes of extravagant utterance. He was in the position of an advocate, a fiery disputant. He was intense in his nature, and imaginative in high degree. He used his imagination because he wished to stir the thoughts of men of colder temperament, meaning to conjure up and prefigure and preexamine all that might come to pass subversive of the common weal.

It has been said * that after the adoption of the Constitution Henry declared he "'would have nothing to do with it,' and fell for a time so completely out of touch with his countrymen that he not only refused to embark his political fortunes in what he called 'the crazy machine' of the Federal Government, but became so disaffected to the new polity that, in the first flush of his disgust, he thought of emigrating to North Carolina, where he would be outside the more perfect Union,

* *The Nation,* vol. liv.

inasmuch as that State, sharing his fears, and, as some charged, following his lead, had at first rejected the Constitution. At a later date, when North Carolina had acceded to the Union, he joined with some land companies in the purchase of vast demesnes in the remote and unsettled parts of Georgia—the tract bought by all the companies comprising 15,000,000 acres—not only, as he confessed, from motives of speculation, but also from a wish to get on the frontier of the consolidated government."

We may well believe that Henry wished to get on the frontier, whether it were the borderland of a consolidated set of former sovereignties, or the edge of an honest wilderness fringed with democracy; but it does not appear that politics had a great deal to do with his land ventures, or that he at any time harbored serious thoughts of sulking in some hermit hut down among the Cherokees. His reference to "the crazy machine" was in a letter to Monroe, to whom he wrote: "And although the form of government in which my countrymen determined to place themselves had my enmity, yet, as we are one and all embarked, it is natural to care for the crazy machine—at least, so long as we are out of sight of port to refit." He simply regarded the Ship of State as unsuited for that long voyage she was destined to undertake; and, for the good of those on board, he hoped to see her rigged differently, caulked with George Mason's sterling oakum, made taut from stem to stern, and then refloated under the flag of the free. His recusancy was indeed persistent and at times bitter, but it was consistently patriotic. In proof of this we have the word of Richard Venable, who was at a meeting of the Anti-Federalist delegates on the evening of their defeat. Among them were some revolters who proposed to concert a plan of resistance to the new government; but Henry at once struck down their

standard. David Meade Randolph corroborates Venable. According to Randolph, Henry said "he had done his duty strenuously in opposing the Constitution, in the proper place, and with all the powers he possessed. The question had been fully discussed and settled." Therefore, "as true and faithful republicans, they had all better go home; they should cherish it and give it fair play—support it, too."

Acting upon Henry's advice, the Anti-Federalists thereafter moved along legitimate lines of opposition, agitating for amendments. Henry in Virginia and Clinton in New York knew that the amendments would never be embodied in the Constitution unless the Federalists should be forced to put them there. A mild and unurgent campaign would signify surrender; by sharp and zealous labor only could Madison and Hamilton be brought to book.

It was Clinton's idea that a general convention should take up the numerous amendments proposed, and Henry fell in with the plan. By midsummer the Federalist leaders were alarmed. Madison thought that the Clinton programme had "a most pestilent tendency." Washington was afraid that Henry would go to the Senate and "make shipwreck" of all that had been done. "To be shipwrecked in sight of port," he wrote to Madison, "would be the severest of all possible aggravations to our misery, and I assure you I am under painful apprehensions from the single circumstance of Mr. Henry having the whole game to play in the Assembly of this State." Later Washington wrote to the same correspondent: "The accounts from Richmond are indeed very unpropitious to Federal measures. In one word, it is said that the edicts of Mr. H. are enregistered with less opposition in the Virginia Assembly than those of the grand monarch by his parliaments. He has only to say, let this be law, and it is law."

What happened in the Assembly which met on the 20th of October may be briefly told. Henry drew up and carried through several papers relating to the amendments, which, he said, were essential, since they conserved the "rights, liberties, and privileges of freemen." The counter-resolutions of the Federalists admitted the necessity of amendments, but favored their adoption in another way. Congress, it was urged, could submit them to the State Legislatures. By strategy, then, Henry was getting a part, at least, of what he wanted. It was clear to him that Madison dreaded another convention—sooner than see another, the Federalists would accept the unwelcome appendix to their book, lest the book itself should be inked out and lost in quarrelsome revision.

Henry refused to go to the new United States Senate. He nominated Richard Henry Lee and William Grayson, who were elected, and incidentally he delivered a "tremendous philippic" against Madison, one of the Federalist candidates for the office. That he also endeavored to keep Madison out of the new United States House of Representatives may be accepted as a fact; but it is doubtful whether Henry is entitled to the dubious distinction of being the first manipulator of Congressional districts. Gerrymandering, says Sydney Howard Gay, "was really the invention of Patrick Henry"; and in Moses Coit Tyler's book we find the following: "Surely, it was a rare bit of luck, in the case of Patrick Henry, that the wits of Virginia did not anticipate the wits of Massachusetts by describing this trick as 'henrymandering,' and that he thus narrowly escaped the ugly immortality of having his name handed down from age to age in the coinage of a base word which should designate a base thing—one of the favorite shabby manœuvres of less scrupulous American politicians." The fact is that both sides sought advan-

tage in arranging the Orange district. "We tried to get Fauquier," wrote Colonel Edward Carrington, Madison's friend, "but the power of the 'Antis' was too strong for us." Nor was Henry a member of the Committee which actually districted the State. Only by implication, therefore—as a leader whose will was customarily "enregistered" by the House of Delegates—is he to be associated with this early instance of "gerrymandering." It was Monroe, by the by, who contested the Orange district with Madison. Fighting each other on the stump that fall, the future Presidents journeyed from court-house to court-house, and though Madison came off with victory, he also brought down from "the bleak hills of Culpeper" a pair of frost-bitten ears.

During the autumn debates in the House, there was one delegate, at least, who had no notion of subscribing to Henry's opinions. This was Francis Corbin, son of the Receiver-General from whom Henry had exacted pay for the raped gunpowder. At the outbreak of the Revolution young Corbin had gone to England, where, as a college student and a courtier, he had gathered polish; but now he was of the mind to favor the Virginians with his services. So one day he undertook to confute and chastise Henry, selecting ridicule as his whip and stepping jauntily forth to the public lashing. Henry had been urging the necessity of the proposed amendments, and had concluded with the assurance that "he was ready and willing, at all times and on all occasions, to bow with the utmost deference to the majesty of the people." This phrase gave Corbin his cue. He recounted many of Henry's acts, and at the end of each sarcastic recital exclaimed: "Yet the gentleman tells us that 'he bows to the majesty of the people'!" Whereupon the young man himself bowed, "in the most elegant manner." Let Wirt finish the tale:

"Thus he [Corbin] proceeded, through a number of animated sentences, winding up each with the same words, sarcastically repeated, and the accompaniment of the same graceful obeisance. Among other things, he said 'it was of little importance whether a country was ruled by a despot with a tiara on his head, or by a demagogue in a red cloak, a caul-bare wig,' etc. (describing Mr. Henry's dress so minutely as to draw every eye upon him), 'although he should profess on all occasions to bow to the majesty of the people.' A gentleman who was present and who, struck with the singularity of the attack, had the curiosity to number the vibrations of those words, and the accompanying action, states that he counted thirteen of the most graceful bows he ever beheld. The friends of Mr. Henry considered such an attack on a man of his years and high character as very little short of sacrilege; on the other side of the House, there was, indeed, a smothered sort of dubious laugh, in which there seemed to be at least as much apprehension as enjoyment. Mr. Henry had heard the whole of it without any apparent mark of attention. The young gentleman, having finished his philippic, very much at least to his own satisfaction, took his seat with the gayest expression of triumph in his countenance.

"'*Heu! Nescia mens hominum fati sortisque futuræ!*'

"Mr. Henry raised himself up heavily, and with affected awkwardness—'Mr. Speaker,' said he, 'I am a plain man, and have been educated altogether in Virginia. My whole life has been spent among planters, and other plain men of similar education, who have never had the advantage of that polish which a court alone can give, and which the gentleman over the way has so happily acquired; indeed, sir, the gentleman's employments and mine (in common with the great mass of his countrymen) have been as widely different as our fortunes; for while that gentleman was availing himself of the opportunity, which a splendid fortune afforded him, of acquiring a foreign education, mixing among the great, attending levees and courts, basking in the beams of royal favor at St. James', and exchanging courtesies with crowned heads' (here he imitated Mr. Corbin's bows at court, making one elegant, but most obsequious and sycophantic bow), 'I was engaged in the arduous toils of the Revolution, and was probably as far from thinking of acquiring those polite accomplishments which the gentleman has so successfully cultivated, as that gentleman was from sharing in the toils and dangers in which his unpolished countrymen were engaged. I will not therefore

presume to vie with the gentleman in those courtly accomplishments of which he has just given the House so agreeable a specimen; yet such a bow as I can make shall ever be at the service of the people.' Herewith, although there was no man who could make a more graceful bow than Mr. Henry, he made one so ludicrously awkward and clownish as took the House by surprise and put them in a roar of laughter. 'The gentleman, I hope, will commiserate the disadvantages of education under which I have labored, and will be pleased to remember that I have never been a favorite with that monarch whose gracious smile he has had the happiness to enjoy.' He pursued this contrast of situations and engagements for fifteen or twenty minutes, without a smile, and without the smallest token of resentment, either in countenance, expression, or manner. 'You would almost have sworn,' says a correspondent, 'that he thought himself making his apology for his own awkwardness, before a full drawing-room at St. James'.' I believe there was not a person that heard him, the sufferer himself excepted, who did not feel every risible nerve affected. His adversary meantime hung down his head, and sinking lower and lower, until he was almost concealed behind the interposing forms, submitted to the discipline as quietly as a Russian malefactor who had been beaten with the knout till all sense of feeling was lost."

Henry's sway at Richmond remained unbroken by Federalist attacks, and Mount Vernon was disturbed. Tobias Lear wrote thence: "And after he had settled everything relative to the government wholly, I suppose, to his satisfaction, he mounted his horse and rode home, leaving the little business of the State to be done by anybody who chose to give themselves the trouble of attending it." Bancroft uses almost the same words in telling of Henry's departure for Prince Edward in November, 1788. But Henry had a peculiar reason for leaving Richmond. His sister Anne had come home from Kentucky to die. It was the wish to see this dear one and be with her that led him to turn his back upon Federalists and Anti-Federalists alike. He was sorry to lose Washington's friendship; but it seemed to him

to be necessary to oppose that great man, and he did so without undue compunction. Nor was he in the least distressed by the attacks of the *Independent Chronicle,* of Richmond. These began in December and continued until March. They were signed "Decius," supposed by some to be James Montgomery, but more probably John Nicholas. They were most malefic and abominable, but Henry minded them not. His friends throughout the State were outraged, and some of them rushed into print. In Hanover a "Decius" defender was "flogged" for his pains. In the end, as Edmund Randolph noted in a letter to Madison, the attacks did the Federalists more harm than good.

Madison's election to Congress was only brought about by a promise made by him that he would countenance the amendments to the Constitution. Accordingly, when Congress met, he introduced in the House not twenty but seventeen amendments. The Senate cut the seventeen down to twelve; and finally, on December 15, 1791, ten of these amendments became a part of the Constitution. On the theory that half a loaf is better than none, Henry was obliged to be content. But he was despondent. Hamilton's Assumption Act troubled him greatly, because it foretokened the loss of powers to the States and the gain of central strength. Moreover, the Assembly of 1789 was less to his liking than previous Legislatures had been. Upon Grayson's death, in 1790, Henry shook his head when asked to stand for the Senate, and at the end of that year he retired from public life.

William Wirt Henry is justified in regarding the Virginia debates as of prime value in supplementing the work of the Constitutional Convention. At the moment of the adoption of the new government, he says, "two conflicting theories as to its nature" were advanced.

"They continued to divide parties afterward more distinctly. The party organized by Jefferson, and afterward led by Calhoun, insisted that the States had entered into a compact, that they were still sovereign, and had only delegated powers which could be recalled. The party organized by Hamilton, and afterward led by Webster, agreed with Mr. Henry, that the people of the States had created a national government, and endowed it with certain supreme powers which were irrevocable by the several States, except by amendment, as provided in the instrument itself, or by revolution. This construction was adopted by the Supreme Court, and acted on by the Federal Government in its several departments, and has been finally established beyond controversy by the result of the greatest civil war history has recorded, brought about by the endeavor of the Southern States to exercise the asserted right of secession."

XVI

AS A LAWYER—ANECDOTES

We have seen why and how Patrick Henry became a lawyer; we have looked into the fee-books kept by him prior to the Revolution, which interrupted his practice; and we have heard one of his friends say to him: "Go back to the bar—your tongue will soon pay your debts." But as yet we have not stepped into his old stick-gig and journeyed with him along the Virginia roads towards some distant court-house. This gig, or "chair," and the little hair-trunk Henry strapped on behind the seat are now the prized possessions of Louis D. Jones at New Store, in Buckingham. Fresh linen, papers pertinent to suits that were to be argued, and a book or so were packed in the trunk. There is evidence that Henry appreciated books more thoroughly as he grew older. In one sense, he must have had less need of them—in executing the laws he must have learned a great deal of law; in drafting bills he must have perfected himself along certain lines; in buying land he must have acquired useful information—in a word, the experiences of his later life had added to his legal store; yet we find him peering between book-covers as he followed the roads in his gig. Some of his law-books were tossed up by the Civil War into the auction-mart at Richmond, and sold and scattered. Perhaps a favorite volume was Dunmore's black-letter Coke, which Henry had bought in Williamsburg. Campbell, who saw the book, says: "It has his lordship's arms and the orator's autograph." Judge Winston tells us that Henry travelled about "on a circuit (Nelson and White, Judges) carrying Soame Jenyns, of which he

gave the Judges a copy, desiring them at the same time not to take him for a travelling monk." This book, which bears the title, "Internal Evidences of Christianity," was printed and given free circulation in Virginia at Henry's own expense. Howe says that Henry did the same with Butler's "Analogy," adding: "Sherlock's Sermons, he affirmed, was the work which removed all his doubts of the truth of Christianity; a copy of which, until a short time since, was filled with marginal notes. He read it every Sunday evening to his family, after which they all joined in sacred music, while he accompanied them on the violin. He never quoted poetry. His quotations were from the Bible, and his illustrations from the Bible and ancient and modern history." *

But we have taken him away from his family and started him in his gig towards the court-houses; and we shall go on in that direction after inviting attention to an important fact: Henry was almost a born believer, as well as a born Whig. He got his religion and his politics out of nature in the first place, and in the next place out of that part of the Bible which teaches kindness to all men. Milton, Locke, Sidney, and other great forebears of freedom had intellectualized the grand political idea; but it came to Henry, as it did to other men of his day, by the working of his own mind. Now,

* In William Meade's "Old Churches, Ministers, and Families of Virginia," vol. ii, p. 12, the Rev. Mr. Dresser says that Patrick Henry had "a very great abhorrence of infidelity, and actually wrote a reply to 'Paine's Age of Reason,' but destroyed it before his death." "This," comments Edward Fontaine, "is certainly true. My father, Colonel Patrick H. Fontaine, was the oldest grandson of Patrick Henry. He was living with his grandfather when he wrote the reply to Paine mentioned by Mr. Dresser." But Patrick Henry, having read Bishop Watson's "Apology for the Bible," and deeming it a sufficient answer to Paine, decided not to publish his own manuscript.

while he was on the circuit, it became fashionable in Virginia for young men to pin atheistic ruffles to their shirts. French views were popular, and threatened to prevail. Henry was hurt by the talk of the young men. Here from the Wirt papers is a scrap of manuscript, much crumpled, torn, and stained, and it reads:

"When the first Constitution of France (in 1789) was formed, it afforded great and general satisfaction, and became the subject of conversation in a circle of which Mr. P. Henry was one. He was asked what he thought of it, and whether the powers of Europe would consent to its undisturbed operation. He immediately replied: 'No, no, no!—the Kings and Powers of Europe will not rest until they have deluged that country in blood.'"

He sympathized with the multitudes of fellow-beings who were under the yoke in France, but he had no patience with the extravagances and bloody horrors of French democracy, and would not put up with French infidelity. In course of time his antipathy to the imported doctrines would cause him to oppose them politically, but just now he was endeavoring as best he could to counteract the irreligious tendency of the hour. That is why he praised Soame Jenyns to the judges and doubtless to others whom he met on the road or on the court-house greens.

We of this day would like to come upon a good report of some roadside talk with Henry about the difference between the American and French Revolutions. We can imagine the scene—a summer sky, with woolly clouds lazily drifting; shade at a cool ford, the horses splashing; an interested questioner in one gig, and Henry answering from the other. We should like to hear Henry on this subject, because we are sure he would show with precision wherein his democracy and Mason's differed from the newfangled French democracy about to be engrafted by Jefferson upon the Ameri-

can stock. But possibly, at such a meeting, each wayfarer would have produced a Federal receipt for his gig-tax; the talk, indeed, might have been upon that—the first United States internal tax; a strange thing for Stamp Act survivors to contemplate, and a matter provocative of "remarks" at the expense of a consolidated government which might end in heaven knew what.

Several taverns south of the James preserve traditions of Henry as a guest, but the "Lawyers," eight miles from New London Court-house, is more richly reminiscent of him than any other. Not far away is Jefferson's "Poplar Forest," an octagonal brick Monticello in miniature, designed by Jefferson himself, and shaded by trees that were huge of girth long before he or any other white man looked upon the Blue Ridge. Another great Democrat comes into the story at this point—General Andrew Jackson, who saw Henry once, probably at New London. In Parton's "Life of Jackson," Colonel Avery is quoted thus:

> "I was present one evening in Jonesboro when General Jackson was talking to some dozen of his friends. He told them that in passing through a town in Virginia he learned at breakfast that Patrick Henry was to defend a criminal that day. He was induced to stop. 'No description I had ever heard,' said Jackson, warmly, 'no conception I had ever formed, had given me any just ideas of the man's powers of eloquence.'"

Judge Roane says: "It was as a criminal lawyer that his eloquence had the fairest scope." William Wirt Henry adds: "His wonderful powers as an advocate made him especially great in nisi prius practice, but he was also retained in important chancery causes, and some of his greatest triumphs were in arguments addressed to judges on questions of law. Having discontinued his profession for over thirteen years, it was wonderful how rapidly he was able to recall it, and enter

at once upon one of the most brilliant careers as an advocate ever known to the profession."

His fame, his popularity, his extraordinary persuasiveness, caused clients to come to him, not only from Prince Edward and the adjoining counties, but from remote regions. Hence he could dictate large fees, and require his clients to employ other lawyers to get everything ready in the preliminaries. A letter of his to Robert Carter, of Nomini, shows just how he managed the matter of fees. From this Carter another Carter, Colonel Charles, wished to recover twelve thousand acres of land. The trial was at far-away Leesburg, near Potomac water, and Henry must have been many days in his gig when he journeyed thither. Edmund Randolph, who was the opposing counsel, writes to a friend, under date of Fredericksburg, August 18, 1789:

"The day before yesterday I returned thither from Leesburg, where I was confronted with Mr. Henry, and for three days we lay alongside of each other. It was a diverting scene, taken in the whole. My client, Charles Carter, must have been defeated if a single point of four had gone against him; and to obtain one everything was attempted in the way of assertion, declamation, and solecism. In three points the Court was unanimous against Mr. H.; on the fourth he had a bare majority. Thus being mortified with defeats, and willing to disguise them under the name of a compromise, he proposed that his client, Robert Carter, should surrender 6000 acres of land and £450. To this I agreed, knowing that two of the four points were in strictness by no means in our favor."

But Henry's letter puts the matter in a different light. So far from being chagrined, he was felicitating himself upon having brought his client out of a slippery situation. He reminds Carter that in case of failure the fee was to be one hundred guineas; in case of complete success, four hundred guineas; and he takes him sharply to task for the non-payment of the two hundred guineas demanded.

Henry was accused of exacting large fees; hence there is a tradition, now wide-spread in Virginia, that he was too eager for money. This tradition has bred another—to the effect that he was frugal in small things. It is even said that he wore a cap indoors to save his wig. William Sullivan, in his "Familiar Letters on Public Characters and Public Events," says: "Gentlemen wore wigs when abroad, and commonly caps when at home." Writing of John Hancock, he adds:

"At this time (June, 1782), about noon, Hancock was dressed in a red velvet cap, within which was one of fine linen. The latter was turned up over the lower edge of the velvet one two or three inches. He wore a blue damask gown lined with silk, a white stock, a white satin embroidered waistcoat, black satin small-clothes, white silk stockings, and red morocco slippers."

In the light of this testimony as to caps and the like, it is clear that the notably hospitable Henry, who was liberal enough to print books at his own expense that he might give them away, has been abused by tradition. Yet tradition is well supported when it declares that Henry worked hard to acquire a fortune. He felt himself weakening in health, and he knew that if old age should catch him poor the world would let him remain so. The world is a grateful world sentimentally, but ungrateful when it comes to the matter of bread, meat, and a proper allowance of self-respect. He had given the best of himself to the public. That was very well in its way; but prosaic times had now come on, so he must consider his private responsibilities—must provide for his patriarchal family, and must exercise the same care in his work for himself as he had shown in his work for the people. Hence he became a busy man, a money-maker; and the more money he made, the greater was his thrift.

Further analysis of this part of Henry's character indicates that he was influenced by the recollection of his father's shortcomings in practical matters. John Henry was bookish, and, like many bookish men in all generations, he was weak as a money-maker. In consequence, he was frequently in trouble. Patrick Henry may have made up his mind not to be as his father had been—a victim of impracticality—but to acquire a competence. This explains why, in some particulars, he may have been a "close man," as he certainly was a "business man," with the accretive sense duly developed. His fees were larger in proportion than the fees of contemporary lawyers. There are many lawyers now who would think Henry's fees small, but they were large for that day.

As in Henry's case, Washington's business ability was pronounced. His training as a surveyor made him appreciate the value of land, and he was shrewd to profit by what he knew in this respect. He, too, had the accretive sense. He was in every way a solid, substantial man, who expressed himself clearly because he thought clearly. His uniform hand in writing shows how equable he was. Henry's drive-ahead hand is also in character. The spaces between his words are thin, and the words themselves convey the exact meaning intended.

About the time Henry turned to the pursuit of riches, he wrote to Richard Henry Lee: "Your age and mine seems to exempt us from the task of stepping forth again into the busy scenes which now present themselves." Both must have felt that they had seen enough of public life. It is the nature of men to be fired with zeal, and then, when their ends have been attained, to lose their zest for the very work once so absorbing to them. Henry, for his part, had supped to surfeit on public honors. He had been too popular for his own peace,

and the revulsion from his own glories was a natural thing. Mason, an admirable character, likewise turned back to his farm. He possessed a healthy nature—was interested in the affairs of his own little world. His sense of duty to the numerous people around him was strong. There was no lack of public spirit in these men at any time, as long as they lived; but they had a proper sense of their obligations to their own households.

When it is said that Henry grew rich before he withdrew from the bar, we must understand that he was only relatively rich—independent. A fortune that would now seem small appeared large in those days. He was proud of his success as a money-maker—prouder of that than of his successes in statesmanship. Here we detect a vagary, a flaw in his character, and conclude that we love the young and fiery and resolute and glorious Henry better than we do the old Henry, tying the strings of his guinea-bag. But we are also to remember the chill that comes over the spirit of old men when they think of their near approach to dissolution, and we are to bear in mind that in age the heart of a man like Henry is consumingly tender towards his offspring.

Most of the anecdotes about Henry's shrewdness in extricating clients from difficulties relate to this period of his practice. No doubt some of these stories, as told in Virginia to-day, are tinctured by the medium through which they have passed in coming down to us. If the tale be coarse, as it often is, it may have got its coarseness in franker times than ours, or it may have been vulgarized by tavern gossips, who put into it a coloring all their own. Many of the anecdotes have variants, according to the locality in which they are told. But humor usually runs through them; and Henry is invariably the hero.

There are several thieving knaves in the Henry anec-

dotes. He missed so much corn from one of his corn-cribs that he decided to bring the culprit to book. Accordingly, a steel-trap was set inside the crib, near an opening through which the thief drew out the corn. Henry himself paid an early morning visit to the crib; and lo! alongside it, by the aperture, was a neighbor of good substance and repute. One arm was invisible, and the entrapped rogue stood as if leaning against the crib. "Good morning, sir," said Henry, with politeness and friendly warmth. He asked after the man's family; spoke volubly of the weather, the crops, politics; and, turning finally, cried out in the heartiest manner, "Come in to breakfast—come on in!" And with that he walked briskly away. One may imagine the grin and the glib observations of the black boy secretly sent by Henry to liberate the poacher.

Since Henry undoubtedly had "a tendency to grace," it is hard to believe the traditional shoat story heard in the Lynchburg region, where he is still spoken of as "the Governor." It is told in about this style: "A man stole a hog, dressed it, and went to the Governor to defend him. The Governor said: 'Did you walk away with that shoat?' 'I don't like to say.' 'Out with it!' 'Yessir.' 'Have you got the carcass?' 'Yessir.' 'You go home, you wretch; cut the pig lengthwise in half, and hang as much of it in my smoke-house as you keep in yours.' At court the Governor said: 'Your Honor, this man has no more of that stolen shoat than I have. If necessary, I'd kiss the Bible on this.' The man was cleared."

As Henry keenly enjoyed practical jokes at the expense of his friends on the bench, as he liked to do surprising things of a harmless sort, and as he was a privileged character in some degree, it is possible that the various petit larceny anecdotes were based on actual happenings. One Sunday evening, while on the way to

a court in which he was to appear next morning, he fell in with a witness in a horse-stealing case. They talked it over. Said Henry, commenting on an assertion: "You wouldn't say *that* in open court if I'd give you every guinea I'm jingling here in my hand." Vowing that he would, the man took the money. When he stood up to testify next day, Henry, who was counsel for the defendant, also rose, and made short work of him and of the case, on the ground that a witness who would permit himself to be influenced by money was incompetent. If this tale and others like it be true—and the specimens here given have no basis but countryside tradition—the standard of ethics at the criminal bar was much lower in those days than at present.

But here is a more pleasing story, illustrative of Henry's ingenuity. It is a part of the folk-lore of Virginia. As told by a graybeard, sitting on the steps of St. John's Church, within a few feet of the spot where Henry stood while making his "Liberty or Death" speech, it had a charm and an effectiveness impossible to reconvey on this poor page, since no birds sing for us here as they sang in the beautiful grove, with its graves of great men, its trees, and its flowers.

"Did you ever know," said the graybeard, resting his hands on the knob of his hickory stick, "how Patrick Henry untwisted a little love-tangle? I'll tell you. A young fellow wanted to get married without being overtaken by the law. The girl, ditto; but her parents objected. She was not of age, and the law had it all fixed that if he ran away with her and was caught, he could be sent to jail. That's where the trouble was. But the young fellow took his trouble to Patrick Henry; and Patrick said: 'You really love her, do you? How much do you love her? Do you love her better than gold? How much would you give out of pocket if you could get your sweetheart and never cast a shadow

in the doorway of a jail?' 'I'd give a hundred guineas,' said his client. 'Agreed! Now do as I tell you. Go see your ladylove; request her to take a horse out of her father's stable, mount, make off, and meet you at an appointed place. You are to be on foot. You are to get on behind her. Ride to the nearest preacher's, and get married. You will be arrested; but never mind that, for I shall be there to see you through.' Now we come to the second chapter—with everybody in court from five miles 'round. The Commonwealth's attorney said it was so plain a case that he would simply state the law and the facts, and be done with it. He did so; after which Patrick got up, and admitted that the law was just as the prosecutor had urged. But he would be better satisfied, he said, if the young woman should take the stand and give an account of the elopement. So up she went, the pretty bride, and all the men shuffled and craned, and the judges sat straight. Then she said, said she: 'I told my lover to meet me at a certain spot. I got out a good horse from my father's stable, and rode to where he was. I took my lover up behind me, and ran away with him.' 'Did he run away with you?' said the sly old Pat. 'No, sir, I ran away with him.' 'Oh!' said Patrick, 'I see!' The court got into a side-splitting shake; the crowd roared; the Commonwealth attorney came down the persimmon-tree, and the happy chap marched off with the persimmon."

Of the authenticated stories, one of the best has the old Court-house at New London as the scene. Prior to the Revolution, many Scotch merchants lived at New London; and the Chevalier de Chastellux saw in it a thriving border town. A print in Howe's "Historical Collections" shows the Court-house as a plain, one-story frame structure, dismally suggestive of tens of thousands of American dwellings of the pioneering period, when a roof was a thing that kept the rain away, and no

more. Here was tried the case of John Hook, who kept a store at New London, against John Venable, a commissary of the Continental Army. Hook was a Scotchman and a Tory, and when the American soldiers were suffering for food during the Cornwallis invasion, Venable had seized two of Hook's steers. Says Wirt, on the authority of Judge Archibald Stuart:

"The act had not been strictly legal; and on the establishment of peace, Hook, under the advice of Mr. Cowan, a gentleman of some distinction in the law, thought proper to bring an action of trespass against Mr. Venable, in the district court of New London. Mr. Henry appeared for the defendant, and is said to have disported himself in this cause to the infinite enjoyment of his hearers, the unfortunate Hook always excepted. He appeared to have complete control over the passions of his audience: at one time he excited their indignation against Hook—vengeance was visible in every countenance; again, when he chose to relax, and ridicule him, the whole audience was in a roar of laughter. He painted the distresses of the American army, exposed almost naked to the rigor of a winter's sky, and marking the frozen ground over which they marched with the blood of their unshod feet. 'Where was the man,' he said, 'who had an American heart in his bosom, who would not have thrown open his fields, his barns, his cellars, the doors of his house, the portals of his breast, to receive with open arms the meanest soldier in that little band of famished patriots? Where is the man? *There* he stands—but whether the heart of an American beats in his bosom, you, gentlemen, are to judge.' He then carried the jury, by the powers of his imagination, to the plains around York, the surrender of which had followed shortly after the act complained of; he depicted the surrender in the most noble and glowing colors of his eloquence—the audience saw before their eyes the humiliation and dejection of the British as they marched out of their trenches—they saw the triumph which lighted up every patriot face, and heard the shouts of victory, and the cry of Washington and liberty, as it rung and echoed through the American ranks, and was reverberated from the hills and shores of the neighboring river—'But hark! What notes of discord are these which disturb the general joy and silence the acclamations of victory? They are the notes of

John Hook, hoarsely bawling through the American camp, *beef! beef! beef!'*

"The whole audience was convulsed. A particular incident will give a better idea of the effect than any general description. The clerk of the court, unable to command himself, and unwilling to commit any breach of decorum in his place, rushed out of the court-house and threw himself on the grass, in the most violent paroxysm of laughter, where he was rolling when Hook, with very different feelings, came out for relief into the yard also. 'Jemmy Steptoe,' said he to the clerk, 'what the devil ails ye, mon?' Mr. Steptoe was only able to say that he could not help it. 'Never mind ye,' said Hook, 'wait till Billy Cowan gets up: he'll show him the la'.' Mr. Cowan, however, was so completely overwhelmed by the torrent which bore upon his client, that when he rose to reply to Mr. Henry, he was scarcely able to make an intelligible or audible remark. The cause was decided almost by acclamation. The jury retired, for form's sake, and instantly returned with a verdict for the defendant. Nor did the effect of Mr. Henry's speech stop here. The people were so highly excited by the Tory audacity of such a suit, that Hook began to hear around him a cry more terrible than that of beef: it was the cry of tar and feathers; from the application of which it is said that nothing saved him but a precipitate flight and the speed of his horse."

For accuracy's sake, we may add that the jury in this "Johnny" Hook case did not return a "verdict for the defendant." It became the duty of the same "Jemmy" Steptoe who rolled off his surplusage of hilarity on the Court-house green to write in the records: "The verdict was for one penny damages, and one penny costs to be paid by the plaintiff." *

In 1813 there appeared in the *Republican Farmer,* of Staunton, a series of papers under the title "The Moun-

* There are descendants of John Hook in Franklin County, Virginia, who do not relish the accepted account of this humorous scene. As recently as September 1, 1875, there appeared in the *Richmond Dispatch* a long defence of Hook, who acquired a great deal of land, owned a hundred slaves, and "died rich and respected."

taineer." They were written by the Rev. Dr. Conrad Speece, of the Augusta Church. One of them follows:

"Many years ago, I was at the trial, in one of our District Courts, of a man charged with murder. The case was briefly this: the prisoner had gone, in execution of his office as constable, to arrest a slave who had been guilty of some misconduct, and bring him to justice. Expecting opposition in the business, the constable took several men with him, some of them armed. They found the slave on the plantation of his master, within view of the house, and proceeded to seize and bind him. His mistress, seeing the arrest, came down and remonstrated vehemently against it. Finding her efforts unavailing, she went off to a barn where her husband was, who was presently perceived running briskly to the house. It was known he always kept a loaded rifle over his door. The constable now desired his company to remain where they were, taking care to keep the slave in custody, while he himself would go to the house to prevent mischief. When he arrived within a short distance of it, the master appeared, coming out of the house with his rifle in his hand. Some witnesses said that as he came to the door he drew the cock of the piece, and was seen in the act of raising it to the position of firing. But upon these points there was not an entire agreement in the evidence. The constable, standing near a small building in the yard, at this instant fired, and the fire had a fatal effect. No previous malice was proved against him; and his plea upon the trial was, that he had taken the life of his assailant in necessary self-defence.

"A great mass of testimony was delivered. This was commented upon with considerable ability by the lawyer for the Commonwealth, and by another lawyer engaged by the friends of the deceased for the prosecution. The prisoner was also defended, in elaborate speeches, by two respectable advocates. These proceedings brought the day to a close. The general whisper through the crowded house was, that the man was guilty and could not be saved.

"About dusk candles were brought, and Henry arose. His manner was exactly that which 'the British Spy' describes with so much felicity; plain, simple, and entirely unassuming.

"'Gentlemen of the jury,' said he, 'I dare say we are all very much fatigued with this tedious trial. The prisoner at the bar has been well defended already; but it is my duty to

offer you some further observations in behalf of this unfortunate man. I shall aim at brevity. But should I take up more of your time than you expect, I hope you will hear me with patience when you consider that *blood is concerned.'*

"I cannot admit the possibility that any one, who never heard Henry speak, should be made fully to conceive the force of impression which he gave to these few words, *'blood is concerned.'* I had been on my feet through the day, pushed about in the crowd, and was excessively weary. I was strongly of opinion, too, notwithstanding all the previous defensive pleadings, that the prisoner was guilty of murder, and I felt anxious to know how the matter would terminate. Yet when Henry had uttered these words, my feelings underwent an instantaneous change. I found everything within me answering: 'Yes, since blood is concerned, in the name of all that is righteous, go on; we will hear you with patience until the rising of to-morrow's sun!'

"This bowing of the soul must have been universal; for the profoundest silence reigned, as if our very breath had been suspended. The spell of the magician was upon us all, and we stood like statues around him. Under the touch of his genius, every particular of the story assumed a new aspect, and his cause became continually more bright and promising. At length he arrived at the fatal act itself: 'You have been told, gentlemen, that the prisoner was bound by every obligation to avoid the supposed necessity of firing by leaping behind a house near which he stood at that moment. Had he been attacked with a club, or with stones, the argument would have been unanswerable, and I should feel myself compelled to give up the defence in despair. But surely I need not tell you, gentlemen, how wide is the difference between sticks or stones and *double-triggered, loaded rifles cocked at your breast!'* The effect of this terrible image, exhibited in this great orator's peerless manner, cannot be described. I dare not attempt to delineate the paroxysm of emotion which it excited in every heart. The result of the whole was that the prisoner was acquitted; with the perfect approbation, I believe, of the numerous assembly who attended the trial. What was it that gave such transcendent force to the eloquence of Henry? His reasoning powers were good; but they have been equalled, and more than equalled, by those of many other men. His imagination was exceedingly quick, and commanded all the stores of nature as materials for illustrating his subject. His voice and delivery were inexpressibly happy. But his most

irresistible charm was the vivid feeling of his cause with which he spoke. Such feeling infallibly communicates itself to the breast of the hearer."

Here, now, we come to a celebrated case in which comedy and tragedy are well woven. Shortly after Henry had moved to Campbell County, says his grandson, a messenger arrived, bearing a letter from Richard Randolph, then in Cumberland jail on the charge of murder. Mr. Randolph offered him two hundred and fifty guineas as a fee to defend him. Mr. Henry replied that he was too unwell to take the journey—quite a long one from Long Island—to Cumberland Court-house. Some days afterward, the messenger returned with an offer of five hundred guineas as the fee, and urging him to appear at the trial, which was near at hand. Mr. Henry called his wife. "Dolly," said he, "Mr. Randolph seems very anxious that I should appear for him, and five hundred guineas is a large sum. Don't you think I could make the trip in the carriage?" Upon her assenting, the carriage was brought out, and he arrived at Cumberland Court-house in time for the examining court which convened for the trial.

Richard Randolph was one of the finest of men. He lived at "Bizarre," near Prince Edward Court-house. Henry knew him well, and was fond of him. John Randolph, then twenty and not as yet "of Roanoke," was Richard's brother, and dwelt with him at "Bizarre." Their beautiful mother, Frances Bland, is well known to story. Her sons by her second marriage, which was with Judge St. George Tucker, were almost as distinguished as the odd genius who owed his being to the first. Here is William Wirt Henry's account of the trial:

"The charge against Richard Randolph was the murder of a newly-born infant, of which he was the reputed father.

The most intense excitement had been aroused against him in his county, and upon his arrest he had been refused bail. Mr. Randolph's anxiety for the result may be estimated by the array of counsel that appeared for him. He was defended by Alexander Campbell, an eminent advocate, John Marshall [Chief-Justice Marshall], and Patrick Henry. The trial was one of the most memorable that ever occurred in Virginia. To Mr. Henry was assigned the task of examining the witnesses, which he is said to have done with wonderful skill. One incident of this examination is traditional. The chief witness against the prisoner was a daughter of Archibald Cary, who after her marriage had lived in Cumberland. It may be well imagined that she had no partiality for the counsel who cross-examined her. Mr. Henry saw the necessity of breaking down her testimony, and soon found an opportunity of doing so. The witness testified that her suspicions had been aroused concerning the lady involved, and, being on one occasion in the house with her, she had attempted to satisfy her curiosity by peeping through a crack in the door of the lady's chamber while she was undressing. Mr. Henry at once resorted to his inimitable power of exciting ridicule by the tones of his voice, and, in a manner which convulsed the audience, asked her:

"'Which eye did you peep with?'

"The laughter in the court-room aroused the anger of the witness, which was excited to the highest pitch when Mr. Henry turned to the Court, and exclaimed in his most effective manner: 'Great God, deliver us from eavesdroppers!'"

Henry's management of this witness is still talked of among Virginia lawyers. While luring her on to her own frustration, his acting was extraordinary. It was like a scene out of Shakespeare. He used one meaning for her and another for the audience. She could not see that he was mocking her, but everybody else saw it. He actually had her down on her knees in the court-room, showing how she peeked through the crack. He, too, peeked. He talked as she talked, and not until the climax that brought the outburst of laughter—"Which eye did you peep with?"—did the witness realize her entrapment and the practical breakdown of her testimony.

Such was the comedy. But, though Richard Randolph went free, his heart was broken, and he soon died. No doubt John of Roanoke was embittered by his brother's trial, which helped to develop his native eccentricity. He once spoke of Henry as "the greatest orator that ever lived." In his extravagant way, he added that Henry was "Shakespeare and Garrick combined, and spake as no man ever spake." General William S. Cabell, of Danville, telling of an attempt on Randolph's part to adequately indicate what he thought of Henry, says:

"Randolph suddenly paused, and picking up a piece of charcoal from the hearth, and pointing to the white wall, said: 'But it is in vain for me to attempt to describe the oratory of that wonderful man. Sir, it would be as vain for me to try, with this black coal, to paint correctly the brilliant flash of the vivid lightning, or to attempt, with my feeble voice, to echo the thunder, as to convey, by any power I possess, a proper idea of the eloquence of Patrick Henry!'"

When the Rev. Dr. Archibald Alexander, of Princeton Theological Seminary, was a young man, he went out of his way to study Henry's methods as a speaker. "The power of his eloquence was felt equally by the learned and unlearned," wrote Alexander, in the *Princeton Review;* hence the wish of the beginner in oratory to profit by a lesson from the lips of the master. Being in Prince Edward County, and learning that Henry was to appear before the Circuit Court in defence of three men charged with murder, the aspirant for pulpit power sat all day in the court-room, awaiting an exhibition of Henry's eloquence. But the day was spent in the examination of witnesses. Alexander says:

"Mr. Henry . . . wore a brown wig, which exhibited no indication of any great care in the dressing. Over his shoulders he wore a brown cloak. Under this his clothing

was black, something the worse for wear. The expression of his countenance was that of solemnity and deep earnestness. His mind appeared to be always absorbed in what, for the time, occupied his attention. His forehead was high and spacious, and the skin of his face more than usually wrinkled for a man of fifty. His eyes were small and deeply set in his head, but were of a bright blue color, and twinkled much in their sockets. In short, Mr. Henry's appearance had nothing very remarkable as he sat at rest. You might readily have taken him for a common planter who cared very little about his personal appearance. In his manners he was uniformly respectful and courteous.

"Candles were brought into the court-house when the examination of witnesses closed; and the Judges put it to the option of the bar whether they would go on with the argument that night or adjourn until the next day. Paul Carrington, Jr., the attorney for the State, a man of large size and uncommon dignity of person and manner, as also an accomplished lawyer, professed his willingness to proceed immediately, while the testimony was fresh in the minds of all. Now for the first time I heard Mr. Henry make anything of a speech, and though it was short, it satisfied me of one thing, which I had particularly desired to have decided; namely, whether like a player he merely assumed the appearance of feeling. His manner of addressing the Court was profoundly respectful. He would be willing to proceed with the trial, but, said he: 'My heart is so oppressed with the weight of responsibility which rests upon me, having the lives of three fellow-citizens depending, probably, on the exertion which I may be able to make in their behalf (here he turned to the prisoners behind him), that I do not feel able to proceed to-night. I hope the Court will indulge me, and postpone the trial till morning.' The impression made by these few words was such as I assure myself no one can ever conceive by seeing them in print. In the countenance, action, and intonation of the speaker there was expressed such an intensity of feeling that all my doubts were dispelled; never again did I question whether Henry felt, or only acted a feeling. Indeed, I experienced an instantaneous sympathy with him in the emotions which he expressed; and I have no doubt the same sympathy was felt by every hearer."

We continue the account, quoting *in extenso,* because we certainly have the real Henry before us:

"As a matter of course, the proceedings were deferred until the next morning. I was early at my post; the Judges were soon on the bench, and the prisoners at the bar. Mr. Carrington, afterwards Judge Carrington, opened with a clear and dignified speech, and presented the evidence to the jury. Everything seemed perfectly plain. Two brothers and a brother-in-law met two other persons in pursuit of a slave, supposed to be harbored by the brothers. After some altercation and mutual abuse, one of the brothers, whose name was John Ford, raised a loaded gun which he was carrying, and, presenting it to the breast of one of the other pair, shot him dead in open day. There was no doubt about the fact. Indeed, it was not denied. There had been no other provocation than opprobrious words. It is presumed that the opinion of every juror was made up from merely hearing the testimony; as Tom Harvey, the principal witness, who was acting as constable on the occasion, appeared to be a respectable man. For the clearer understanding of what follows, it must be observed that the said constable, in order to distinguish him from another of the name, was commonly called 'Butterwood Harvey,' as he lived on Butterwood Creek. . . . Henry's main object appeared to be throughout to cast discredit on the testimony of Tom Harvey. . . .

"As he descanted on the evidence, he would often turn to Tom Harvey—a large, bold-looking man—and with the most sarcastic look would call him by some name of contempt: 'this Butterwood Tom Harvey,' 'this would-be constable,' etc. By such expressions, his contempt for the man was communicated to the hearers. I own I felt it gaining on me in spite of my better judgment; so that, before he was done, the impression was strong on my mind that Butterwood Harvey was undeserving the smallest credit. This impression, however, I found I could counteract, the moment I had time for reflection. The only part of the speech in which he manifested his power of touching the feelings strongly was where he dwelt on the irruption of the company into Ford's house, in circumstances so perilous to the solitary wife. This appeal to the sensibility of husbands—and he knew that all the jury stood in this relation—was overwhelming. If the verdict could have been rendered after this burst of the pathetic, every man, at least every husband in the house, would have been for rejecting Harvey's testimony, if not for hanging him forthwith. It was fortunate that the illusion of such eloquence is transient, and is soon dissipated by the exercise of sober reason. I confess,

however, that nothing which I then heard so convinced me of the advocate's power as the speech of five minutes, which he made when he requested that the trial might be postponed till the next day."

William Wirt Henry supplements Dr. Alexander's account, which leaves us uncertain as to the result of the trial. Ford was acquitted. Juror Halloway used to declare that the terrible Patrick "scared him out of his wits, and made him believe that if he hung Ford he would have to answer for it at the judgment day." But Dr. Alexander's study of Henry was not for the purpose of chronicling the minutiæ of the advocate's work at the bar. Something more important was in mind. Just as zealous aspirants for literary fame read Ruskin and Newman to waylay the elusive sprites that guard numerous secrets of style, so this aspiring pulpit orator sought to analyze and adapt the excellences of Henry. Here is the outcome of the study, which was made at various times and in various places:

"The power of Henry's eloquence was due, first, to the greatness of his emotion and passion, accompanied with a versatility which enabled him to assume at once any emotion or passion which was suited to his ends. Not less indispensable, secondly, was a matchless perfection of the organs of expression, including the entire apparatus of voice, intonation, pause, gesture, attitude, and indescribable display of countenance. In no instance did he ever indulge in an expression that was not instantly recognized as nature itself; yet some of his penetrating and subduing tones were absolutely peculiar, and as inimitable as they were indescribable. These were felt by every hearer, in all their force. His mightiest feelings were sometimes indicated and communicated by a long pause, aided by an eloquent aspect and some significant use of the finger.

"The sympathy between mind and mind is inexplicable. Where the channels of communication are open, the faculty of revealing inward passion great, and the expression of it sudden and visible, the effects of it are extraordinary. Let these shocks of influence be repeated again and again, and

all other opinions and ideas are for the moment absorbed or excluded; the whole mind is brought into unison with that of the speaker, and the spell-bound listener, till the cause ceases, is under an entire fascination.

"Patrick Henry, of course, owed much to his singular insight into the feelings of the common mind. In great cases, he scanned his jury and formed his mental estimate; on this basis he founded his appeals to their predilections and character. It is what other advocates do in a lesser degree. When he knew that there were conscientious or religious men among the jury, he would most solemnly address himself to their sense of right, and would adroitly bring in Scriptural citations. If this handle were not offered, he would lay bare the sensibility of patriotism. Thus it was when he succeeded in rescuing the man who had deliberately shot down a neighbor who lay under the odious suspicion of being a Tory, and who was proved to have refused supplies to a brigade of the American army."

But though Henry left his mark upon numerous cases—some great, some small—there are two that stand notably out from the others: the Parsons' Cause of his youth, and the judicial affair of magnitude to which we have now come. This is known as the British Debt Cause. Wirt, who devotes fifty of the four hundred and sixty-seven pages of his book to Henry's argument (thus violating all sense of biographical proportion), says that "the whole power of the bar of Virginia was embarked" in the case. He tells us that "the deep interest of the question, in a national point of view, and the manner in which it involved more particularly the honor of the State of Virginia, and the fortunes of her citizens, had excited Mr. Henry to a degree of preparation which he had never before made." Howe says: "He shut himself up in his office for three days, during which he did not see his family; his food was handed by a servant through the office door." According to the Edward Fontaine manuscript, Patrick Henry Fontaine, then studying law with his grandfather, rode sixty miles to get a copy of Vattel's "Law of Nations." Henry

"ATTEMPT AT THE FEATURES" OF PATRICK HENRY

(This is Sculptor Crawford's tracing from B. H. Latrobe's sketch-book. The drawing was from life.)

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Foundations.

made many quotations from Vattel, and " with the whole syllabus of notes and heads of arguments he filled a manuscript volume more than an inch thick and closely written." It was " bound with leather, and convenient for carrying in his pocket." We learn further that there was an office in the yard, " built at some distance from his dwelling, and an avenue of fine black locusts shaded a walk in front of it. . . . He usually walked and meditated, when the weather permitted, in this shaded avenue. . . . For several days in succession, before his departure to Richmond to attend the court," he haunted the locust walk, sometimes reading from his note-book, and sometimes disclosing by his gestures that he was rehearsing his argument. Wirt declares that " he came forth a perfect master of every principle of law, national and municipal, which touched the subject of investigation in the most distant point."

Let us go back a step, in order that we may the more readily go forward, and thus cover the whole matter at a few strides. By the treaty of 1783, America agreed that British debts should be recoverable here. Under the Constitution, that treaty became the supreme law of the land. But on October 20, 1777, Virginia, acting as a sovereign State, had directed that money due to British subjects should be paid into her treasury. On May 3, 1779, the Legislature passed an act of forfeiture, vesting all British property in the Commonwealth. These laws had been made prior to the making of either the treaty or the Constitution.

Now, when the United States Court was opened at Richmond, in 1790, many British creditors sued to recover debts that had already been paid to the State. The debtors jointly engaged Henry, Marshall, James Innes, and Alexander Campbell, a cousin of the poet, to defend them. The counsel on the other side were Ronald, Baker, Starke, and John Wickham, all able

men. Wickham, especially, was of high repute. Johnson and Blair of the Supreme Court and Griffin of the District Court were the judges.

Henry qualified in the Federal Circuit Court on the 23d of November, 1791; and that same day the first of the British Debt cases was called. It led the docket, and was to be a test case. William Jones, British merchant, sued Dr. Thomas Walker, of Albemarle County, on a bond dated May 11, 1772. On the 24th, Ronald and Baker opened for the plaintiff. On the morning of the 25th, Henry began his great argument, which in the main was taken down in short-hand by David Robertson. We now follow Wirt:

"The Legislature was then in session; but when 11 o'clock, the hour for the meeting of the Court, arrived, the Speaker found himself without a House to do business. All his authority and that of his sergeant-at-arms were unavailing to keep the members in their seats. . . . Accordingly, when the Court was ready to proceed to business, the court-room of the Capitol, large as it is, was insufficient to contain the vast concourse that was pressing to enter it. The portico, and the area in which the statue of Washington stands, were filled with a disappointed crowd, who nevertheless maintained their stand without. . . . It may give the reader some idea of the amplitude of this argument when he is told that Mr. Henry was engaged three days successively in its delivery; and some faint conception of the enchantment which he threw over it, when he learns that although it turned entirely on questions of law, yet the audience, mixed as it was, seemed so far from being wearied that they followed him throughout with increased enjoyment. The room continued full to the last; and such was 'the listening silence' with which he was heard, that not a syllable that he uttered is believed to have been lost. When he finally sat down, the concourse rose with a general murmur of admiration; the scene resembled the breaking up and dispersion of a great theatrical assembly which had been enjoying for the first time the exhibition of some new and splendid drama; the Speaker of the House of Delegates was at length able to command a quorum for business; and every quarter of the city, and, at length, every part of the

State, was filled with the echoes of Mr. Henry's eloquent speech."

In brief, Henry claimed that, by the law of nations, contracts between the people of belligerent countries are void; that, under the strain of a life-and-death struggle, the debts were justly confiscated; that, as for the treaty, Great Britain had broken it in more ways than one; and, finally, that the splitting asunder of the two countries by the Revolution had annulled a thousand things of greater human importance than a few pounds and shillings.

During the debate, Ronald, who was a Scotchman, let slip a reference to Virginia as a "revolted" colony. "When Mr. Henry," says Wirt, "came to notice this remark, he gave his spectacles the *war cant:* 'But another observation,' said he, 'was made: that by the law of nations *we* had not a right to legislate on the subject of British debts—we were not an independent nation—and I thought,' said he, raising himself aloft, while his frame dilated beyond the ordinary size, 'that I heard the word *revolt!*' At this word he turned upon Mr. Ronald his piercing eye, and knit his brows at him, with an expression of indignation and contempt which seemed almost to annihilate him. It was like a stroke of lightning." Ronald seemed, indeed, to be "in quest of an auger-hole by which he might drop through the floor." Henry "perceived his sufferings, and his usual good nature immediately returned to him. He raised his eyes gently toward the Court, and shaking his head slowly, with an expression of regret, added: 'I wish I had not heard it: for though innocently meant (and I am sure it was so, from the character of the gentleman who mentioned it), yet the sound displeases me—it is unpleasant.' Mr. Ronald breathed again, and looked up, and his generous adversary dismissed the topic to resume it no more."

In the fall of 1792 the same court heard a discussion "upon the law involved in the pleadings"; and in the spring of 1793 there was further argument—this time before Chief-Justice Jay and Associate Justice Iredell of the United States Supreme Court, sitting with Judge Griffin of the District Court. James Iredell, of North Carolina, a great jurist and one of the strong men of his time (whose "Life" by G. J. McRee is a true lamp of Revolutionary history), wrote to his wife on May 27: "We began on the British causes the second day of the Court, and are now in the midst of them. The great Patrick Henry is to speak to-day."

How Henry impressed Iredell was thus noted in a letter from James W. Bouldin to Colonel John Henry, of Red Hill:

"John Randolph of Roanoke told me of his having when a youth been present at the trial of the case of the British debts. He said by luck or favor he had got himself seated near the Judges, so that he could hear a whisper between them. A dispute sprang up between them whether Henry was an orator. The Associate Judge [Iredell] asserted that he was no orator, though he had never heard him speak—that he was a mere ad captandum speaker. The Chief-Justice insisted that he was the greatest of orators. John Marshall, afterwards Chief-Justice . . . opened, and was speaking. The dispute was so severe between the Judges that they determined to call on Mr. Henry next, although they knew he was reserved to the last. When Marshall finished . . . they called on Mr. Henry. Henry was very much wrapped up, was old, and his head resting on the bar. He raised his head with unaffected surprise, and said that that was not the order in which they had proposed to speak. There were several of counsel. . . . The Court still insisting, Henry began to resign himself to it, and prepared to rise. Randolph said he knew that Henry was the ablest counsel and mainly relied on. Yet 'his deceit was deeper than the bottom of the sea'—his (Henry's) oratorical put-on, he meant; and when Henry began to complain, before he had fairly risen from his seat, that it was a hardship too great to place the laboring oar in the hands of a decrepit old man, trembling with one

foot in the grave, weak in his best days, and far inferior to the able associate by him, he (Randolph) knew 'it was all deceit.' . . . He now reminded Randolph of a first-rate four-mile race-horse, sometimes displaying his whole power and speed for a few leaps, and then taking up again. Here the color would come and go in the face of the Chief-Justice, while the Associate Justice sat with eyes stretched open in perfect wonder. At last Henry arrived at his utmost height and grandeur. He raised his hands in one of those grand, solemn pauses. Randolph said his hands seemed to cover the whole house. There was a general suppressed expression of applause. Then the Associate Justice cried out: 'Gracious God! He is an orator indeed!'"

Iredell subsequently wrote of the arguments: "They have discovered an ingenuity, a depth of investigation, and a power of reasoning fully equal to anything I have ever witnessed, and some of them have been adorned with a splendor of eloquence surpassing what I ever felt before. Fatigue has given way under its influence, and the heart has been warmed, while the understanding has been instructed."

William Wirt Henry thus follows the case to its end:

"The decision of the Court upon the pleadings left nothing for the jury to try except the plea of payment. Upon this issue the jury was impanelled at once, and argument was heard, but they could not agree upon a verdict. Nor was one obtained until the May term, 1794, when Mr. Henry was not present. By the pleadings, the defendants had been allowed credit for the sums they had paid into the State treasury. From this, Ware [administrator of Jones] appealed to the Supreme Court, where the case was heard after Mr. Henry had left the bar. That Court reversed the Circuit Court, and held the debtors liable for their original obligations, on the ground that the treaty, being the supreme law under the Constitution, annulled the acts of Virginia, though she might have been sovereign when they were passed."

And so, with a triumph, Henry passed out of the courts as he had passed out of the public councils. He

deemed himself entitled to some peace and rest. He had injured his voice in the British Debt case; which was but one of many warnings that his day of great activity had gone. We learn from Howe that, in the course of the arguments before the Supreme Court judges, the Countess of Huntingdon, then in this country, was among the auditors. She said of Henry and the others that if they had spoken thus in Westminster Hall, "they would have been honored with a peerage." "Mr. Henry," continues Howe, "had a diamond ring on his finger; and while he was speaking, the Countess exclaimed to the Judge, Iredell: 'The diamond is blazing!' "

And so, doubtless, it will continue to blaze; for Henry's fame as an orator will last through the centuries.

XVII

RED HILL

With enough of that honor which comes to one who acts well his part; with friends enough, and no real enemies; with land and money enough, but, as he seems to have thought, not quite enough children—Henry turned his back upon the world, and entered the beautiful wilderness that stretched eastward from the Peaks of Otter. A few Indians were still there, and many bears. High hills, free-flowing streams, and fertile lowlands made it an inviting region for Henry, who now lacked nothing but health. Here he hoped to get back his health; here he would rest; here he would play patriarch, and prolong his life.

It is a Randolph, as well as a Henry, region—this bold country along the Staunton River. The Otter comes out from among the Peaks, and feeds the Staunton; the Staunton feeds the Dan; the Dan the Roanoke. It is said that John Randolph spent a night on one of the Peaks that he might seek in the sunrise sure evidence of the existence of God. He went up the mountain in pride, and came down in humility. Whether Satan sat beside him on the rock of his vigil that night, we can only imagine, but we feel that he was lucky to escape the rattlesnakes. His head was surcharged with Shakespeare—a complaint that was common in the generation succeeding Henry's, and that is exceedingly rare in ours. No doubt he thought dark, Byronic things on his perch among the Peaks. No doubt he gave "Hamlet" to the stars, and "Macbeth" and the other pieces. If, after sunrise, he chanced to look eastward through his spy-glass, he saw the quarter of his own

far-away forest hermitage; and if he focused upon the nearer spot where the Otter joins the Staunton, he was viewing the Patrick Henry neighborhood.

Not far from the confluence of these two rivers was Long Island, the earliest of Henry's Staunton Valley homes. Red Hill, the real home, was eighteen miles down stream, near the head of bateau navigation to the sea. Here, after receiving the waters of the Falling River, which wash the western side of Red Hill, the Staunton quits its eastward course, elbows south, and speeds away for the Carolina line. Here, on Red Hill, the counties of Campbell and Charlotte meet; and the crow that flies over stream from either is soon eating corn in Halifax. Thirty-eight miles to the northwest is Lynchburg; some thirty to the north is Appomattox. The sound of the guns there reached Red Hill, but though Henry had once been profoundly interested in the matter at issue, he slept on. After Appomattox, a native remarked to a Union officer, an excellent but uninformed man, who was guarding a plantation: "This is Patrick Henry's country around here." "So I've heard say," replied the officer; "he must be 'some pumpkins'; where does he live, anyhow?" *

For a time Henry kept up two residences, going from Long Island to Red Hill and back again whenever he wished. As we have seen, he was in search of health and comfort; and doubtless he sought physic in wood-

* In Powhatan Bouldin's little book, "The Old Trunk, or Sketches of Colonial Days," one finds interesting reminiscences of the Red Hill region. When Louis Tyler lived at "Red Hill in Charlotte," he had as a servant a white redemptioner, "an upright woman of great fidelity," Milly Collins. "One night, as Mrs. Tyler was preparing to retire to bed, she, as usual, requested Milly to pull off her stockings. 'Everybody pulls off their own stockings to-night!' was the reply. Pretty bold for her; but the hour of her deliverance had come, and she meant to assert her rights that very instant."

land sport. Judge Roane intimates that Henry had lost all liking for rod and gun; but that was when he was on the circuit and working hard. Now he was free, and local tradition has it that he renewed his interest in the chase. In these days of his retirement, he was as fond of nature as he had ever been. He was no Puritan, be it noted, but a religious man of affairs, and he saw the utility and the joy of rural pastimes. Like John Randolph, Patrick Henry's son Winston kept race-horses on his Staunton River estate. Dr. Thomas Yuille Henry, son of Winston, made a name for himself in the hunting field. Fox-hounds are closely identified with the Henry family, and there is a breed of them bearing the name. That Patrick Henry himself "did pursue the timid hare, and fox that lives by subtilty," we may well believe without stretching our imagination beyond the limit. By the Staunton there still dwells a half-breed Indian woman who remembers tales told by her father of the days when he hunted with Patrick Henry. Long Island is in foot-touch with Red Hill, and the plantation hands frequently passed to and fro between them. One of these, "Uncle Big Solomon," while walking to Long Island by night, met a bear at a fence near the ford. Mistaking the bear for a man, "Uncle Big Solomon" proceeded to scuffle with him; and, says tradition, "the best man got over the fence last."

Several of Henry's letters are dated at Long Island, Campbell County, which county, by the by, was named in honor of his brother-in-law, General William Campbell; others bear the date, "Red Hill, Charlotte County." One of these letters shows that Henry was living at Long Island as early as October 26, 1793. It is to his daughter, "Betsy" Aylett, who dwelt in King William. There is that in the letter which brings us close to the writer, who says:

"Yours by Mr. Roane's man I received, and I have the satisfaction to inform you we are well, except Johnny Christian and Patrick, and they are recovering fast now. Poor Neddy has been at the point of death at Colonel Meredith's. Your sister Fountaine and Dolly have been with him for some time. He was mended a little when we last heard from him, and there were hopes of his living—and I trust he mends, or we should have heard before this. I should have gone to him, but had a pain in my hip. The flux has been very near us, but, it has pleased God, we escaped it. Many died of it, and the whole country hereabouts has been sickly. Your mama and myself are greatly obliged by your affection to Dolly, and I send a guinea by your sister Roane to pay for some small articles she had from a store at Aylett's, which she says were twenty odd shillings. Your sister Roane can tell you the little news of this family. We shall go to Red Hill, 18 miles below this, in a few days, to spend eight months, but spend the sickly season here. . . . I pray God to keep and preserve you, my dear child."

In the autumn of 1794 he writes to "Betsy":

"I have great cause of thankfulness for the health I enjoy, and for that of your mama and all the children. For not one of us has been sick for a long time. Our working negroes on the river are indeed very sickly with the ague. However, it is not of an inveterate kind. We have providentially escaped the flux as yet, whilst many around us have died of it. I wish you were here to enjoy the agreeable society of your sisters at this place, which is very retired; indeed, so much so as to disgust Sally and Dolly. But as we go to Red Hill in August for five weeks, they will be relieved from this solitude, as that is a more public place. . . . We have another son, named Winston. I must give out the law, and plague myself no more with business, sitting down with what I have. For it will be sufficient employment to see after my little flock, and the management of my plantation."

However much Henry liked Long Island, he liked Red Hill better. He said to "Jack White," a favorite servant, that in finding Red Hill he had found "one of the garden spots of the world." Thus it came that in 1796 he fixed his residence at Red Hill, leaving the Long Island plantation in charge of an agent. And

RED HILL IN THE NINETEENTH CENTURY

(Patrick Henry lived and died in the story-and-a-half part. The two-story structure was added by his son, John Henry. The tall tree is Patrick's locust.)

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since Red Hill was his last home, becoming more intimately associated with his name than any other place, it behooves us to draw near and look minutely upon this particular "garden spot" which rejoiced him so. As with other pilgrims, we approach from the north, by the Brookneal road, which leads through woods rich in all sorts of oak, hickory, ash, chestnut, poplar, and pine, and brings us finally to the far-extending Red Hill open. We are on the backbone of a broad ridge, with pasture fields to the west and a tobacco field sloping eastward. On ahead are the houses. They are at the nib of the ridge—barn, cabins, agent's dwelling, and Red Hill house itself; not close together, but picturesquely placed, for there is no lack of room here. Originally the tract was of two thousand acres.* As we move on, we note that there are all sorts of pretty little hillocks tumbled slopewise about on top of the big hill. We say to ourselves that if it were to rain hard, little streams of water would soon be running to all points of the compass at one and the same moment. Some would hurry to Falling River, in the rocky trough just to the west; some would flow eastward into a lesser stream. Such is the variety of contour; such are the gentle dips and curves and graceful sweeps of the land at Red Hill, which was so named because of the red-brown soil outcropping at its southern end. To boatmen coming up the Staunton, in the old days, this southern end looked like a red bluff; but it is a brown hill, a white hill, or a gloriously green hill, according to the season. Thinking of Patrick Henry's choice of a home—his "garden spot" of the world—we find one of his chief characteristics, hitherto shadowy to us, now relieved of shadows. We see clearly that the

* The Red Hill tract contained 2920 acres; the Long Island tract 3522 acres. Two other tracts, in Campbell County, were owned by Henry—one of 1030 acres, the other of 444 acres. Henry paid taxes on 8000 acres of Norfolk lands.

man had the artistic temperament. He was musical; we recall his flute and violin. He was an actor; no one has ever thought otherwise. In a sense, he was an artist; we understand now why many of his descendants developed æsthetic qualities. Certainly, his eye must have had satisfaction of pastoral scenery here. What is called "quiet beauty," "restful beauty," is round about; and one finds himself listening for the tinkle of sheep-bells. The mind goes back to poems read and stories told of pastoral England, and this seems a part of it, somehow, or, at any rate, a part of some place, somewhere, connected with pleasant memories or happy dreams.

Patrick Henry's house faces south. It stands on the crest of the hill, at the right spot for the longest and best view down the valley of the Staunton. In a shaded yard back of the house was his office; to the east is the spacious garden; east of that is the graveyard, walled about with box-tree hedge and carpeted with periwinkle. Box-tree hedge beautifies the lawn, from the foot of which the hillside slopes a long way down to the Staunton lowland, where there are great flat fields given over to corn. There are eight considerable springs, one with a touch of lithia, round about the place. The ravines, with their whitewashed log cabins, are romantic, and at the heads of these ravines are the springs. "Cool Spring" was Henry's favorite. From this, water was brought to him on a summer day; and with a can of it and a gourd he sat under a locust tree on the lawn, and enjoyed the valley view.

Looking as with Henry's own eyes, we have a prospect down across miles of corn to the far-away hills of Halifax. The whole basin, which is oval in shape, is rimmed about with hills. At the furthermost rim, where the river runs in rapids, breaking through the hills, is a wooded eminence called Hawk's Mountain,

THE RED HILL OF TO-DAY

(Patrick Henry's dwelling stands just as it was. The architect, Mr. Charles Barton Keen, took his cue from it in remodeling and amplifying.)

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three miles away. All the space between is as a panorama where clouds and hills and sweeps of corn play shadow-games, shifting their pictures constantly, prodigal of them, indeed—giving to some thief of a crow that happens to fly by so glorious a setting that an artist would be willing to lay aside his brush for good, if he could only paint it as it is.

"From the brow of the hill, west of the house," wrote Howe, who visited it sixty years ago, "is a scene of an entirely different character; the Blue Ridge, with the lofty Peaks of Otter, appears in the horizon at a distance of nearly sixty miles." The print used by Howe in his "Historical Collections" shows a two-story frame dwelling connected at the eastern end with a snug story-and-a-half colonial structure. The two-story part was added after Henry's death. It is the smaller building that was his. He himself made but one addition—a shed at the garden end; and this was built, not so much because he needed more room for his still growing family—John, who inherited Red Hill, and Jean Robertson were born here—as because he "wished to hear the patter of rain on its roof." We are assured by Elizabeth Henry Lyons that "Red Hill has suffered less change than any other historic home in Virginia. The house, a wooden structure, is in an excellent state of preservation. It is composite in its nature, an addition having been made to it by John Henry, to whom it passed on the death of his mother. The box-hedges which mark the walks and driveways, and the old-fashioned garden with flowering shrubs, give the place a distinct flavor of ante-bellum days. The wood-work inside the house is very simple. Tall mantels and brass locks show its colonial character." *

* Mrs. Lucy Gray Harrison and Mrs. Elizabeth Henry Lyons, daughters of William Wirt Henry, are the present owners of Red Hill. Mrs. Harrison is the widow of Matthew Bland

Henry's life at Red Hill was just the sort of life that world-badgered men everywhere sigh to lead. We know that Washington so sighed about this time. It might be described as idyllic, if it were not that the word conveys too florid a meaning. It might be designated as a patriarchal life, if it were not for the fact that the cradles were still rocking at Red Hill. It was indeed patriarchal in the sense that Henry was looking after his people, his flocks, his fields. But his varied affairs were not all under his immediate eye. In going over the private papers preserved at Red Hill, one is impressed with his business activity. He touched life at many points. There are drawerfuls of receipts, accounts, business letters, documents relating to surveys and the like—all showing how careful he was, and that his days at Red Hill could not have been without care. Howe says: "Occasionally he walked to and fro in the yard from one clump of trees to the other, buried in revery, at which times he was never interrupted." It may be that he was thinking of the great trouble President Washington was having; or it is possible that certain land investments were about to prove profitless. He lost his share in a Georgia tract by reason of the McGillivray treaty between the United States and the Creeks, and was a victim—not a beneficiary, as has been foolishly said—of the Yazoo Fraud of 1795.*

Harrison, the upbuilder of Duluth, Minn. Mrs. Lyons is the wife of Colonel James Lyons, great-grandson of Judge Peter Lyons, Patrick Henry's opponent in the "Parsons' Cause." As remodelled on colonial lines—the old preserved, the new subdued—the present house fits the hill-top, graces it, and becomes the ornament of the historic plantation. Like Mount Vernon, it is a Mecca for all who love the founders of the Republic. Red Hill garden has been stocked with shrubs from Mount Vernon garden.

* Jefferson wrote, in the "Memorandum," thrown out by

But in the main, as he told "Jack White," he was "getting things ready for his children." He bought farms for his older sons, and helped his married daugh-

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Wirt and first published in 1867: "About the close of the war he [Patrick Henry] engaged in the Yazoo speculation, and bought up a great deal of depreciated paper at 2s., and 2s. 6d., in the pound to pay for it. At the close of the war many of us wished to reopen all accounts which had been paid in depreciated money, and have them settled by the scale of depreciation. But on this he frowned most indignantly, and, knowing the general indisposition of the Legislature, it was considered hopeless to attempt it with such an opponent at their head as Henry. . . . From being the most violent of the Anti-Federalists, however, he was brought over to the new Constitution by his Yazoo speculation, before mentioned. The Georgia Legislature having declared that transaction fraudulent and void, the depreciated paper which he had bought up to pay for the Yazoo purchase was likely to remain on his hands worth nothing. But Hamilton's funding system came most opportunely to his relief, and suddenly raised his paper from 2s. 6d. to 27s. 6d. the pound. Hamilton became now his idol." Commenting on this, William Wirt Henry says: "The facts are simply as follows: On the 7th of February, 1795, the Georgia Legislature passed an act selling to four companies, viz.: the Georgia, the Georgia and Mississippi, the Upper Mississippi, and the Tennessee—about forty million acres of land for the sum of $500,000. These companies paid the money, and obtained the deeds to the land. It soon became known, however, that the Legislature had been bribed, and the succeeding Legislature, on the 30th of January, 1796, declared the grant fraudulent and void. This transaction became infamous, and was known as the Yazoo speculation; and it is with this that Mr. Jefferson evidently intends to connect Mr. Henry. I find from Mr. Henry's private papers that late in the year 1789, he, with Judge Paul Carrington, Joel Watkins, Francis Watkins, and some half dozen other gentlemen—all of high character—entered into a co-partnership, which they called the Virginia Yazoo Company, having for their object the purchase of Georgia lands. In 1789 the Georgia Legislature passed an act to sell to the South Carolina, the Virginia Yazoo, and the Tennessee Companies a portion of her territory. But refusing to take Georgia certificates in payment, and requiring

ters. There were some weddings at Red Hill; for the daughters by his second marriage were now growing up. The eldest, Dorothea Spotswood, a beauty, became the wife of her cousin, George D. Winston. Her portrait by James Sharples is much prized. Dorothea's sister, Martha Catharine, then seventeen, fell overboard while visiting the Henrys, distant kinsmen on the Eastern Shore of Virginia, and romantically married her rescuer, Edward W. Henry, a son of Judge James Henry of the Court of Appeals. Sarah married Robert Campbell, of Charlotte Court-house. Robert's brother, Thomas Campbell, the famous poet, was under engagement to come to Red Hill as tutor, but was overruled at home, and never crossed the sea.

Henry himself sometimes played school-master. This we learn from William Wirt Henry, who had from his Aunt Sarah an interesting detail respecting Patrick Henry's family customs. It was his habit, said she, to seat himself in his dining-room every morning, directly after rising, and read his Bible, and as his children would pass him for the first time, he would raise his eyes from his book and greet them with a "good

specie instead, the companies could not pay for the land, and their rights were afterwards declared forfeited. No improper conduct can be charged on the Virginia Yazoo Company in this transaction. They paid no money and got no land. . . . I have never seen the slightest evidence that Mr. Henry was connected with any other company, nor am I aware that this was ever charged." John Randolph, the bitterest foe of the actual promoters of the Yazoo Frauds, said of Colonel Joel Watkins, one of the Virginia Company: "Under the guidance of old-fashioned honesty and practical good sense he accumulated an ample fortune, in which it is firmly believed by all who knew him *there was not a dirty shilling.*" Watkins, be it noted, was Henry's partner. As for the funding act, it had nothing to do with the matter. This act had been in operation six years before the frauds developed. Jefferson mixes his dates. Nor did Henry idolize Hamilton, or any other man.

DOROTHEA SPOTSWOOD HENRY

(Dorothea, daughter of Patrick Henry, married her cousin, George D. Winston. She was eighteen when this portrait was painted by Sharples, the English artist.)

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MDCCLXXV.

TITLE-PAGE OF PATRICK HENRY'S FAMILY BIBLE

morrow." And this he would never neglect. Henry's fondness for the Bible grew with his years. "This book," said he to a neighbor, "is worth all the books that ever were printed, and it has been my misfortune that I never found time to read it with the proper attention and feeling till lately. I trust in the mercy of Heaven that it is not yet too late."

Henry's Bible readings must have had a great many interruptions, if this account of his life, from "Homes of American Statesmen," be exact—and we have no reason to doubt it:

"His house was usually filled with friends, its dependencies with their retinue and horses. But crowds, besides, came and went; all were received and entertained with cordiality. . . . All took his counsel as if it had been an oracle. . . . Those who lived near always came to breakfast, where all were welcomed and made full. The larder never seemed to get lean. Breakfast over, creature comforts, such as might console the belated for its loss, were presently set forth on side-tables in the wide entrance-hall. Of these—the solid, not the liquid parts of a rural morning's meal—breakfast without its slops, and such as, if need were, might well sta for a dinner, all further comers helped themselves as the day or their appetites advanced. Meanwhile, the master saw and welcomed all with the kindliest attention, asked of their household, listened to their affairs, gave them his view, contented all. These audiences seldom ceased before noon, or the early dinner. To this a remaining party of from twenty to thirty often sat down. It was always, according to the wont of such houses in that well-fed land, a meal beneath which the tables groaned, and whose massive Saxon dishes would have made a Frenchman sweat. Everything is excellent at these lavish feasts; but they have no luxuries save such as are home-grown. They are, however, all that is substantial and plain, the very summit of good cheer. At Governor Henry's, they never failed to be, besides, seasoned with his conversation, which at table always grew gay and even gamesome. The dinner ended, he betook himself to his studies until supper, after which he again gave himself up to enjoyment. In this manner came, with the kindliest and most cheerful approach, the close of his days."

"He was very abstemious in his diet," says Patrick Henry Fontaine, "and used no wine or alcoholic stimulants. Distressed and alarmed at the increase of drunkenness after the Revolutionary War, he did everything in his power to arrest the vice. He thought that the introduction of a harmless beverage, as a substitute for distilled spirits, would be beneficial. To effect this object, he ordered from his merchant in Scotland a consignment of barley, and a Scotch brewer and his wife to cultivate the grain and make small beer. To render the beverage fashionable and popular, he always had it upon his table while he was Governor during his last term of office; and he continued its use, but drank nothing stronger, while he lived. . . . In his old age, the condition of his nervous system made the scent of a tobacco-pipe very disagreeable to him. The old colored house-servants were compelled to hide their pipes, and rid themselves of the scent of tobacco, before they ventured to approach him. They protested that they had not smoked, or seen a pipe; and he invariably proved the culprit guilty by following the scent, and leading them to the corn-cob pipes hid in some crack or cranny, which he made them take and throw instantly into the kitchen fire, without reforming their habits, or correcting the evil, which is likely to continue as long as tobacco will grow."

Still telling of Henry and the men who saw to it that the larder never got lean, Fontaine continues:

"His residence overlooked a large field in the bottom of Staunton River, the most of which could be seen from his yard. He rose early; and in the mornings of the spring, summer, and fall, before sunrise, while the air was cool and calm, reflecting clearly and distinctly the sounds of the lowing herds and singing birds, he stood upon an eminence, and gave orders and directions to his servants at work a half-mile distant from him. The strong, musical voices of the negroes responded to him. During this elocutionary morning exercise, his enuncia-

tion was clear and distinct enough to be heard over an area which ten thousand people could not have filled; and the tones of his voice were as melodious as an Alpine horn."

Thus a grandson, painting for us a morning picture; now a great-granddaughter, presenting us with a softer evening picture—fit little pendant for the larger first. Elizabeth Henry Lyons says:

"Towards the close of day, in summer-time, he took the breeze on the lawn. Around him played his children, to whom he was greatly attached, and whom he treated as companions and friends. He was very fond of music, and oftentimes the sweet notes of his flute or violin, echoing on the evening air, broke the stillness of the valley."

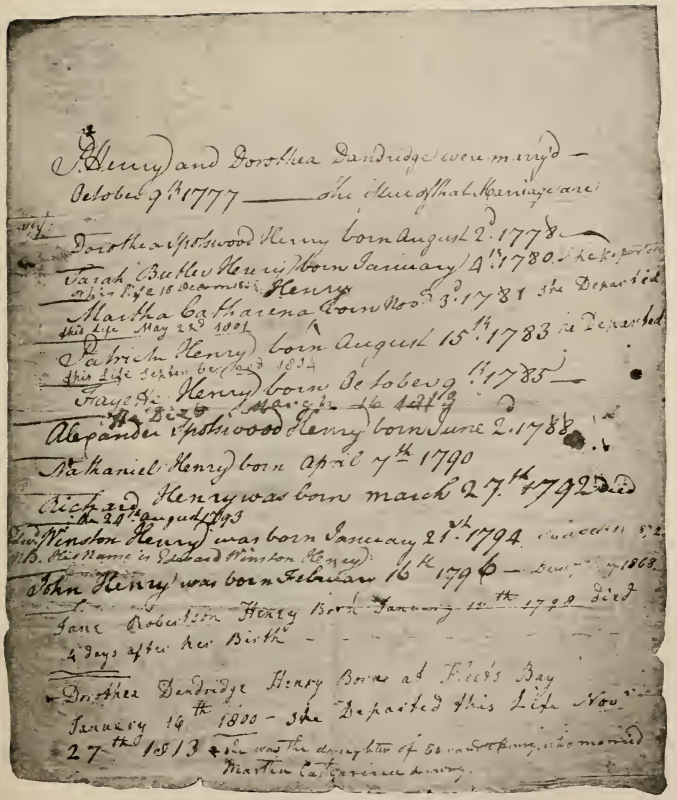
Some of the Henry servants had Indian blood. In the great meadow near Red Hill house one can trace the site of an ancient town. All other parts of the meadow may be flooded, but this space remains high and dry. "Beautifully cut arrow-heads, stone hatchets, and pottery with crude marks of decoration," says Mrs. Lyons, "may yet be found on the once happy hunting-grounds of a banished race. One of these aborigines, 'Indian Jim,' intermarried with a slave woman, and her grandson, Harrison, was living until a few months ago in a cabin on the hillside, near the family mansion. He had the high cheek-bones and copper skin of his grandfather, but in other respects he was a typical body-servant of an old and almost forgotten régime. He was trained in the house by the widow of Patrick Henry."

"Fox-a-laddie," "Scotchman," "Uncle Big Solomon," and "Jack White" were the locally famous Henry blacks of whom tradition tells in connection with their master. They knew that Red Hill was bottomed on flint rock, because they had dug down into it, and they verily believed that Patrick Henry was the greatest

man this side Bible times, because he was a prophet. One of them overheard him say: "Ah, after my head is covered up in clay, you will see what will come of it;" and he was so impressed with the phrase that he treasured it, and passed it down to his children. Henry, to his Bible-loving blacks, was a new "John in the island of Patmos"—powerful to foretell. "Jack White," who was half Indian, and "Uncle Big Solomon" were with "the Governor" a great deal on his various journeys. How this Solomon bore "Marse Patrick" on his broad shoulders across Staunton River and set him down in Halifax without a wetting is still talked of among the numerous Henry negroes in the Red Hill neighborhood. Never did they laugh so much, it is said, as at "Uncle Big Solomon's" struggle with the rapid red current of the swelling river. Imagine the old orator thus perched upon the black man's back, and we have a good picture of the life at Red Hill.

From time to time attempts were made to induce Henry to reënter public life. It was the Federalist period—a period of strife, of bitterness, of danger. Henry philosophically held himself aloof from the struggle as long as he could; but he was too conscientious to remain entirely neutral, and too spirited to linger in downright inactivity. At last, in an emergent crisis, he was drawn from his Red Hill seclusion to the public stump at Charlotte Court-house; and thereby hangs a tale which would be long and complicated if told in its minutiæ, but which may be made short and straightforward here.

Now, if we have it in mind that a Federalist of 1798 was identical with a Federalist of 1788, let us disabuse ourselves of the misleading idea. If we think that the Anti-Federalists who fought the Constitution in the late eighties were identical with the Republicans (really Democrats) of the late nineties, let us also dismiss that



P. Henry and Dorothea Dandridge were marry'd —
October 9th 1777 —— the issue of that Marriage are
viz:
Dorothea Spotswood Henry born August 2d 1778 —
Sarah Butler Henry born January 4th 1780 she Departed
this Life 18 December Henry
Martha Catharina born Nov. 3d 1781 she Departed
this Life May 22d 1801
Patrick Henry born August 15th 1783 he Departed
this Life September 2nd 1834
Fayette Henry born October 9th 1785 —
He Died March 16 1819
Alexander Spotswood Henry born June 2d 1788
Nathaniel Henry born April 7th 1790
Richard Henry was born march 27th 1792 died
the 24th August 1793
Edw. Winston Henry was born January 21st 1794 [illegible]
N.B. His Name is Edward Winston Henry
John Henry was born February 16th 1796 — Dec. 7th 1868
Jane Robertson Henry Born January 10th 1798 died
4 days after her Birth
Dorothea Dandridge Henry Born at Fleet's Bay
January 14th 1800 — she Departed this Life Nov.
27th 1813 — she was the daughter of Edward Henry, who married
Martha Catharina Henry.

ENTRY IN FAMILY BIBLE—PATRICK HENRY'S HANDWRITING

(The interlineations were made by other members of the family after Henry's death.)

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superficial and deceptive notion. Great changes had come. Mason was dead. Richard Henry Lee was dead. The issue they had contended for was not dead, but in Henry's estimation it was no longer debatable. They had battled hard against consolidated government. They had lost. They had used every legitimate stratagem to secure amendments. They had gained half of their desire. And so matters rested. The new government was an accomplished fact. In Washington's view, it was necessary to have a secure government, based on the Constitution and common-sense; in Hamilton's, a strong government, conducted by experts, and in essentials unfettered by democracy; in Jefferson's, a popular government, managed with an eye to the sovereign attributes of the people and to the rights of the States. The line of party cleavage was between the ground taken by Hamilton and the ground upon which the greatest politician of his age now planted the standard of the people. Meantime, portentous storms arose. War with England seemed imminent. War with France appeared to be in swift affluxion, bearing hither, on destruction bent, the same ships that had saved us. The un-American Alien Act angered multitudes. The despotic Sedition Act was equally inflammatory of the public mind. Then, in answer to these acts, came the nullification threat in the Kentucky Resolutions, drawn by Jefferson, and the veiled threat in the somewhat milder Virginia Resolutions, drawn by Madison. A break-up was impending; and Washington, troubled in his heart, feared anarchy.

Henry all this time supported the Federal Government. Having with his own eyes beheld Virginia take up the pen that wrote away certain of her own powers, and with that pen subscribe to the nationalization of the United States, he knew exactly where his allegiance belonged. Strange to say, Madison, who had fought

for strong government in 1788, was the State Rights advocate of 1798. He had swung about, parting with Hamilton at the time of the Assumption Act, and thereafter permitting Jefferson to dominate him. Not so with Henry. Jefferson tried in vain to win Henry, and afterwards spoke of him abusively; but, as we have said, the times were bitter, and, as we have further said, Jefferson's obliquity of estimate in his old age was notorious. See, now, the way of it. One great man is dead, and another talks about him. What the living great man says finds credence—is gospel truth with many, because those who listen look up to him. The living great man knows that his words will be repeated and sent about the country, or put into a book and copied into other books. He gains assurance from the knowledge that even though he assert positively things which some disbelieve, the weight of his word will carry it over and beyond their denials. He knows, also, that the subject of his slighting remarks cannot refute him. It is safe for a living great man to disparage the great man who is dead and, for the time being, out of favor with fame. But we shall not set ourselves up as censors of Jefferson, whose services to his country were of vast import. He becomes a hero with us when we are school-children, because it was he who wrote the Declaration of Independence, and because we are taught that in so writing he wrote himself into the book of the founders. At all times through life we are prepared to scorn those who speak lightly of the Declaration, and when we die, it is with as much love for it as when we first understood what it meant. As the founder of an historic party, too, Jefferson is a commanding figure. Few characters are more interesting—few men have played so useful a part. As Professor Bassett points out, his very defects served to make him an adaptable coördinating force. Yet,

averse as we are to controversy here, no one can tell the story of the old patriot, Patrick Henry, without putting a white light on these defects. "It is provoking, and it is astonishing, and it is humiliating," says John Adams, "to see how calumny sticks and is transmitted from age to age." Adams, himself a target for feathered darts of truth as well as of malicious ones, knew whereof he spoke.

Let us remember to whom Jefferson attributed the inquiry into his conduct as Governor, and that the incident was never forgotten. It cut too deep. Jefferson, who became bankrupt, found it hard to forgive Henry for the crime of getting rich. Jeffersonian ideas prevailed in Virginia years after Henry's death, and the Jeffersonian tincture and bias influenced many matters connected with Henry's memory.*

Here is an example of the way Jefferson referred to Henry. The letter, dated July 10, 1796, is to Monroe:

"Most assiduous court is paid to Patrick Henry. He has been offered everything which they knew he would not accept. Some impression is thought to be made on him, but we do not believe it is radical. If they thought they could count on him, they would run him for their Vice-President, their firm object being to produce a schism in this State."

Later in life, Jefferson wrote:

"General Washington flattered him by an appointment to a mission to Spain, which he declined, and by proposing to

* Jefferson's overshadowing influence at the beginning of the Nineteenth Century is well shown by the Legislature's course in the matter of a Henry memorial. A resolution providing for a marble bust of Henry, to be placed in the hall of the House, was actually tabled; and year after year went by without proper recognition of his services. It is to Wirt's lasting credit that he looked beneath the surface, and resolved to erect a monument of greater value than a marble bust could be.

him the office of Secretary of State, on the most earnest solicitation of General Henry Lee, who pledged himself that Henry would not accept it; for General Washington knew that he was entirely unqualified for it, and moreover that his self-esteem had never suffered him to act as second to any man on earth."

Here we see two men placed in a bad light. Washington is shown as an insincere soul—a double-dealer. Who believes it? Jefferson put it on record in his own hand that Washington was in his dotage. Who believes that? Jefferson wrote a private letter to his friend Philip Mazzei, in Florence, and mischief arose when it got into print; for it abused Washington and his whole following. "It would give you a fever," wrote Jefferson, "were I to name to you the apostates who have gone over to these heresies, men who were Samsons in the field and Solomons in the council, but who have had their heads shorn by the harlot England." No wonder Washington was deeply hurt—almost put out of heart with humankind, for he had but lately received a letter from Jefferson professing fidelity.

In speaking of Henry as an "apostate," it may be that Jefferson did not consider the word he used abusive. From the very start, the language of American politics has been ridiculously violent. The man in opposition has always been an "ingrate," and vice versa; and, as each of us is in opposition to some one else, it follows that we are all "ingrates." Jefferson himself was subjected to such terrific vilification that "apostate" may have seemed to him to be milky in its mildness. What he probably meant with respect to Henry was that, to be consistent, Henry should have stood by the State Rights men. But Henry's position was logical. Fundamentally he had not changed. The times had. He had favored a stronger general government until alarmed by the threat to close the Mississippi. Then he had feared

it, and opposed it with all his might. He had said over and over again, out of his heart and with all the vehemence of his intense nature, that the new government was a consolidated affair, a nation. Would he not have belied himself now if he had joined Jefferson and declared that the new government was not a consolidated affair, but a compact between sovereign States? The fact is that he had reverted to the ground occupied by him before he had become alarmed at the spectre of despotism. Mason, Lee, Henry, thousands of Liberty men, had qualms about despots. Madison was actually inconsistent, but Henry only seemed to be so. He must have realized, about the time of his retirement, that one-man power was not to be feared, after all—that he had magnified the matter. He watched the progress of affairs, and became interested in the success of the new government. Washington's neutrality policy with regard to France pleased him greatly. He had a deep dread and horror of infidelity, and it saddened him to think that so many republicans in America sympathized with those of the red breed abroad. Jefferson courted the Reds; Henry shrank from them. This feeling alone was enough to prevent him from joining hands with Jefferson. No doubt the conservatism which comes with age influenced Henry in some degree. We are not to forget that he was a rebel by nature. But your fiercest propagandist is tamed by time. By this we do not mean that Henry lost his republicanism—not at all. But there was a tinge of philosophy in his later view. We should not wonder if he were a bit weary. At first he had welcomed the French Revolution. But in 1798 he said to a company which was discussing the news that Bonaparte had annihilated five Austrian armies:

"It won't do! The present generation in France is so debased by a long despotism, they possess so few of the virtues

that constitute the life and soul of republicanism, that they are incapable of forming a correct and just estimate of rational liberty. Their revolution will terminate differently from what you expect—their state of anarchy will be succeeded by despotism, and I should not be surprised if the very man at whose victories you now rejoice should, Cæsar-like, subvert the liberties of his country. All who know me know that I am a firm advocate for liberty and republicanism. I believe I have given some evidence of this. I wish it may not be so, but I fear the event will justify the prediction."

Obviously, Henry's patriotic attitude towards the troubled young government of the United States was a power for good in Virginia. Many of his friends were his followers till death. Other adherents of former days were puzzled by his course, and some censured him. They could not participate in the magnanimity of the man who, having taken off his hat to the new government—the supreme law of the land—proceeded to obey it, in the spirit and in the letter. Writing from Red Hill, August 20, 1796, to "My dear Betsy" (Mrs. Aylett), Henry said:

"As to the reports you have heard of my changing sides in politics, I can only say that they are not true. I am too old to exchange my former opinions, which have grown up into fixed habits of thinking. True it is, I have condemned the conduct of our members in Congress, because, in refusing to raise money for the purposes of the British treaty, they in effect would have surrendered our country, bound hand and foot, to the power of the British nation. This must have been the consequence, I think; but the reasons for thinking so are too tedious to trouble you with. The treaty is, in my opinion, a very bad one indeed. But what must I think of those men whom I myself warned of the danger of giving the power of making the laws, by means of treaty, to the President and Senate—when I see these same men denying the existence of that power which they insisted, in our Convention, ought properly to be exercised by the President and Senate, and by none other? The policy of these men, both then and now, appears to me quite void of wisdom and foresight. These senti-

ments I did mention in conversation in Richmond. . . . It seems that every word was watched which I casually dropped, and wrested to answer party views. Who can have been so meanly employed, I know not—nor do I care; for I no longer consider myself an actor on the stage of public life. It is time for me to retire; and I shall never more appear in public character, unless some unlooked-for circumstance shall demand from me a transient effort not inconsistent with private life—in which I have determined to continue. I see with concern our old Commander-in-Chief most abusively treated—nor are his long and great services remembered as any apology for his mistakes in an office to which he was totally unaccustomed. If he, whose character as our leader during the whole war was above all praise, is so roughly handled in his old age, what may be expected by men of the common standard of character? . . . The view which the rising greatness of our country presents to my eye is greatly tarnished by the general prevalence of deism, which, with me, is but another name for vice and depravity. . . . May God bless you, my dear Betsy, and your children."

Next in value to Henry's own testimony with respect to his political beliefs is that of Judge John Tyler, who wrote of him:

"The close of his life was clouded in the opinion of many of his friends, supposing he was attached to the aristocratic [Federalist] party; but however he might have been misled in founding his opinions by misrepresentations in his aged and infirm state, it was impossible he could be an aristocrat. His principles were too well fixed. . . . I lament that I could not see him before his death; he sent me a message expressing his desire to satisfy me how much he had been misrepresented. 'Men might differ in ways and means, and not in principles,' said he."

Tyler was so robust a character, so clear-headed a man, so capable, so sincerely a democrat, and withal so outspoken, that his judgment concerning the catholicity of Henry's republicanism offsets and cancels all that need be cleared away in the matter of unjustifiable

criticism. The testimony, it is observed, relates to Henry's last days. Judge Roane intimates that Henry's health was so undermined in 1797 and 1798 as to lay him open to the approach of manipulating politicians, and this weakness, this unwonted pliancy, this mellowing towards a world he was soon to leave, may have been apparent to those who walked with him under the locusts at Red Hill; but no weakness shows either in his acts or in his correspondence. In fine, whenever the Patrick Henry of the '90's took issue with the Patrick Henry of the '80's, it was with a patriotic as distinguished from a partisan motive, and for a cause in no way conflicting with his settled principles as a champion of liberty in the new world.

Certainly, ambition, so strong with old men who have tasted battle, had nothing to do with his course. One has but to go over a list of the high places offered him, to appreciate the truth of this:

In 1794 he was tendered a United States Senatorship by General Henry Lee, then Governor of Virginia.

In the same year President Washington proposed to send him as Minister to Spain.

In 1795 Washington wished to make him Secretary of State.

In 1796 Washington proffered him the Chief-Justiceship of the United States Supreme Court.

In the same year Washington designed to send him as Minister to France.

Talked of as a candidate for the Vice-Presidency, he declined proffered votes in the Electoral College for the Presidency itself.

For the sixth time he was elected Governor of Virginia.

In 1799 President Adams named him as Envoy to France, and the Senate confirmed the nomination.

All these places and honors were declined by Henry.

He knew his power, but preferred not to exercise it except on rare occasions. He helped to elect General Lee to Congress, and wrote a memorable letter that is thought to have sent John Marshall thither. This letter was dated January 8, 1799, and, as William Wirt Henry reminds us, furnishes "a complete answer to the taunt that his mental faculties were fallen into decay." Mellowed into kindness they may have been, but his head was as clear as a bell. Marshall's contest was with John Clopton, and the letter was in answer to one from Archibald Blair, who knew that a good word from Henry would go a long way in the Hanover district. In the course of his letter, Henry referred to the trouble with France, whence Marshall had lately returned. He wrote:

"Her conduct has made it the interest of the great family of mankind to wish the downfall of her present government, because its existence is incompatible with that of all others within its reach. And whilst I see the dangers that threaten ours from her intrigues and her arms, I am not so much alarmed as at the apprehension of her destroying the great pillars of all government and of social life; I mean virtue, morality, and religion. This is the armor, my friend, and this alone, that renders us invincible. These are the tactics we should study. If we lose these, we are conquered, fallen indeed. In vain may France show and vaunt her diplomatic skill and brave troops; so long as our manners and principles remain sound, there is no danger. But . . . I feel the value of those men amongst us who hold out to the world the idea that our continent is to exhibit an originality of character; and that instead of that imitation and inferiority which the countries of the old world have been in the habit of exacting from the new, we shall maintain the high ground upon which nature has placed us, and that Europe will alike cease to rule us and give us modes of thinking. . . . Tell Marshall I love him, because he felt and acted as a republican, as an American. The story of the Scotch merchants and old Tories voting for him is too stale, childish, and foolish, and is a French finesse; an appeal to prejudice, not reason and good sense. . . . I really should give him my vote for Congress pref-

erably to any citizen in the State at this juncture, one only excepted, and that one in another line. . . . I am too old and infirm ever again to undertake public concerns. I live much retired, amidst a multiplicity of blessings from that Gracious Ruler of all things to whom I owe unceasing acknowledgments for His unmerited goodness to me; and if I was permitted to add to this catalogue one other blessing, it would be that my countrymen should learn wisdom and virtue, and in this their day know the things that pertain to their peace."

In all probability, this eloquent letter served a great purpose. But for it, Marshall, whose majority was only 108, would not have been upon the floor of the House to defend President Adams; but for his powerful defence, Adams would not have made him Secretary of State and Chief-Justice; but for his work as Chief-Justice during thirty-four years, much that was amiss would have lacked amendment.

Let us confess that thus far, in this account of Henry's last days, we have purposely withheld certain parts of the story that refer to Washington. The personal relations between the two ceased to be cordial at the time of the contest over the Federal Constitution. Exaggerated sayings attributed to one were reported to the other. False tales were borne. Henry was led to believe that his former friend now looked upon him with coldness, if not in enmity. In 1791 Washington made a carriage-tour of eighteen hundred miles through the South, and on his return stopped in Prince Edward. He did not see Henry, but talked with men who subsequently buzzed in Henry's ear. A tale-bearer with a political purpose falsely reported that Washington had spoken of Henry as "a factious, seditious character." Henry, of course, was grieved. Men who wished to keep them apart forged some letters in which Washington was made to abuse Henry. Washington discovered the forgeries, and was at pains to put his repudiation

of them on record; but, for the time being, they had a mischievous effect. It was not in Henry's nature to harbor ill feeling against any man of decency, much less against a man whom he admired above all others. David Meade Randolph says:

"The purity of Mr. Henry's republicanism was shown when dining with his brother, Colonel John Syme, at Rocky Mills, during a May session of the Circuit Court, held by Judge Iredell at Richmond. The company was composed of very respectable characters of both parties. 'The people,' as the first toast upon removing the cloth, was announced very audibly by the host. Mr. Henry, pushing his old black wig aside, as was his custom when much excited, and with his elbows akimbo, exclaimed: 'What, brother! Not drink to General Washington, as we used to? For shame, brother! for shame!' and filling up his glass with a bumper of Thomson's Madeira, announced the name of Washington."

We know, too, how Washington felt towards Henry. In forwarding to Mount Vernon a copy of Henry's letter in behalf of Marshall's candidacy, Blair wrote: "With regard to you, sir, I may say, as he said of Marshall, that he loved you, and for the same reason—because you felt and acted as a republican, as an American; for I have no doubt but he alluded to you when he makes the exception, 'one other, who was in another line,' to whom he would give the preference." Washington, in his reply, said: "My breast never harbored a suspicion that Mr. Henry was unfriendly to me; although I had reason to believe that the same spirit which was at work to destroy all confidence in the public functionaries was not less busy in poisoning private fountains and sowing the seeds of distrust among men of the same political sentiments."

But it is likely that Washington and Henry would have gone to their graves without a renewal of their friendship, had it not occurred to General Lee to bring

them together. It was in sounding Henry on the Chief-Justiceship that this quick-witted mediator learned of the wound in Henry's breast because of the reported remark at Prince Edward. Away, then, went Lee, and speedily wrote to Washington, who, in his reply, made it clear that he had never used the words attributed to him. He said: "A part of the plan for creating discord is, I perceive, to make me say things of others, and others of me, which have no foundation in truth." Lee's good offices were used with such delicacy that in a little while the two friends, long apart, were reunited.

In a letter marked "confidential," which is dated Mount Vernon, January 15, 1799, Washington wrote to Henry:

"It would be a waste of time to bring to the view of a person of your observation and discernment the endeavors of a certain party among us to disquiet the public mind with unfounded alarms; to arraign every act of the administration; to set the people at variance with their government, and to embarrass all its measures. . . . At such a crisis as this, when everything dear and valuable to us is assailed . . . when measures are systematically and pertinaciously pursued which must eventually dissolve the Union, or produce coercion; I say, when these things have become so obvious, ought characters who are best able to rescue their country from the pending evil to stay at home? Rather ought they not to come forward, and by their talents and influence stand in the breach which such conduct has made on the peace and happiness of this country, and oppose the widening of it? . . . I come, now, my good sir, to the object of my letter, which is to express a hope and an earnest wish that you will come forward at the ensuing elections (if not for Congress, which you may think would take you too long from home) as a candidate for Representative in the General Assembly of the Commonwealth. . . . Your weight of character and influence in the House of Representatives would be a bulwark against such dangerous sentiments as are delivered there at present. It would be a rallying point for the timid, and an attraction of the wavering. In a word, I conceive it to be of immense importance at this crisis that you should be there; and

I would fain hope that all minor considerations will be made to yield to the measure."

Such was the appeal of one of the fathers and founders, who was soon to die, to another already dying. Henry could not resist it. He would do what he could. He was feeble, but he would buckle on his armor once more and go down to battle. He caused it to be sounded abroad that he would stand for the House. He who had put from him certain high honors would plead for a higher—he would ask his neighbors of Charlotte to make him their Representative. He would address them on the green at Charlotte, on County Court day, the first Monday in March.

On the first Sunday in March Henry ventured forth in his carriage, and was driven twenty miles " to the house of a friend," that of Colonel Joel Watkins, of " Woodfork," where he was accustomed to stop, and there spent the night. In the morning he drove three miles to the Court-house, where a concourse welcomed him. Not Charlotte alone, but neighboring counties contributed to the throng. Some had never heard Henry; others, who had heard him, wished to hear him again, for it was well understood that this, perforce, would be his parting speech.

" As soon as he appeared on the ground," says Wirt, " he was surrounded by the admiring and adoring crowd, and whithersoever he moved, the concourse followed him. A preacher of the Baptist Church, whose piety was wounded by this homage paid to a mortal, asked the people aloud: ' Why they followed Mr. Henry about? Mr. Henry,' said he, ' is no god.' ' No,' said Mr. Henry, deeply affected by both the scene and the remark, ' no, indeed, my friend; I am but a poor worm of the dust—as fleeting and unsubstantial as the shadow of the cloud that flies over yonder fields and is remem-

bered no more.' The tone with which this was uttered, and the look which accompanied it, affected every heart and silenced every voice."

From this mention of the cloud-shadows upon the surrounding fields we understand just what sort of a day it was—a day of glinting sunshine, with wind aloft. We see the whole scene, indeed—the Court-house, in which the grand jury was sitting; the hive-like tavern fronting the green, with Henry on the porch, his chair surrounded by old acquaintances; the platform for the speakers; the pack of vehicles, and the ever moving throng. In this throng were three candidates for Congress—Colonel Clement Carrington, Federalist; Powhatan Bolling, Republican; and another. Bolling, "tall, proud in his bearing, and a fair representative of the old aristocracy fast melting away," was bantered about his scarlet coat. "Very well, gentlemen," said he, bristling, "if my coat does not suit you, I can meet you in any other color." Bolling's Republican rival was John Randolph. "A tall, slender, effeminate-looking youth was he," says Hugh A. Garland; "light hair, combed back into a well adjusted queue—pale countenance, beardless chin, bright, quick hazel eye, blue frock, buff small-clothes, and fair-top boots. He was doubtless known to many on the court green as the little Jack Randolph they had frequently seen dashing by on wild horses, riding *à la mode Anglaise*, from Roanoke to Bizarre, and back from Bizarre to Roanoke." One can imagine the remarks of the crowd, adds Garland: "'And is that the man who is a candidate for Congress?' 'Is he going to speak against Old Pat?' 'Why, he's nothing but a boy—he's got no beard!' . . . 'Old Pat will eat him up bodily!' . . . 'Mr. Taylor,' said Colonel Reid, the clerk of the county, to Mr. Creed Taylor, a friend and neighbor of Randolph, 'don't you or Peter Johnson mean to appear for that young man to-day?'

PATRICK HENRY'S CHAIR, IN WHICH HE DIED

PATRICK HENRY'S DESK

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'Never mind,' replied Taylor, 'he can take care of himself.'"

But the crowd soon pressed towards the platform, whence James Adams announced: "Oyez! oyez! Colonel Henry will address the people from this stand, for the last time and at the risk of his life." Thereat, "the grand jury burst through the doors, some leaped from the windows and came running up with the crowd, that they might not miss a word that fell from the old man's lips."

Adams lifted Henry to the stand, and, as he did so, Henry said: "Why, Jimmy, you have made a better speech for me than I can make for myself!"

"Speak out, father," said Jimmy, "and let us know how it is."

Many professors and students from Hampden-Sidney College were present; and one of the students, John Miller, of South Carolina, mounted upon the pedestal of a pillar, where he stood within eight feet of Henry. Miller says:

"He was very infirm, and seated in a chair conversing with some friends who were pouring in from all the surrounding country to hear him. At length he arose with difficulty, and stood, somewhat bowed with age and weakness. His face was almost colorless. His countenance was careworn, and when he commenced his exordium, his voice was slightly cracked and tremulous. But in a few moments a wonderful transformation of the whole man occurred, as he warmed with his theme. He stood erect; his eyes beamed with a light that was almost supernatural; his features glowed with the hue and fire of youth; and his voice rang clear and melodious, with the intonations of some grand musical instrument whose notes filled the area, and fell distinctly and delightfully upon the ears of the most distant of the thousands gathered before him."

No short-hand report was made of the speech, but, according to an account in John Randolph's handwrit-

ing, and according to the testimony of scores of good listeners, such as Dr. Archibald Alexander, Dr. John H. Rice, and the Rev. John Robinson, it ran as follows:

"He told the people that the late proceedings of the Virginia Assembly had filled him with apprehension and alarm; that they had planted thorns upon his pillow; that the State had quitted the sphere in which she had been placed by the Constitution, and in daring to pronounce upon the validity of Federal laws had gone out of her jurisdiction in a manner not warranted by any authority, and in the highest degree alarming to every considerate man; that such opposition on the part of Virginia to the acts of the General Government must beget their enforcement by military power; that this would probably produce civil war; civil war, foreign alliances; and that foreign alliances must necessarily end in subjugation to the powers called in. He conjured the people to pause and consider well before they rushed into such a desperate condition, from which there could be no retreat. He painted to their imaginations Washington, at the head of a numerous and well-appointed army, inflicting upon them military execution. 'And where,' he asked, 'are our resources to meet such a conflict? Where is the citizen of America who will dare to lift his hand against the father of his country, to point a weapon at the breast of the man who has so often led them to battle and victory?' A drunken man in the crowd, John Harvey by name, threw up his arm and exclaimed that 'he dared do it.' 'No,' answered Mr. Henry, rising aloft in all his majesty, and in a voice most solemn and penetrating, 'you dare not do it; in such a parricidal attempt, the steel would drop from your nerveless arm!'*

"'The look and gesture at this moment,' said Dr. Rice, who related the incident, 'gave to these words an energy on my mind unequalled by anything that I have ever witnessed.'

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*Dr. J. H. Rice wrote to Wirt, expressing doubt as to whether history should take cognizance of such incidents as this. Things of the kind might be misleading. "Perhaps they will give an incorrect view of the state of affairs at that period. It was a stormy time, indeed. But many more bitter words would have been spoken, and much more black ink shed, I think, before the people would have fallen to cutting each other's throats."

"Mr. Henry, proceeding in his address, asked 'whether the county of Charlotte would have any authority to dispute an obedience to the laws of Virginia'; and he pronounced Virginia to be to the Union what the county of Charlotte was to her.

"Having denied the right of the State to decide upon the constitutionality of Federal laws, he added that it might be necessary to say something of the merits of the Alien and Sedition laws, which had given occasion to the action of the Assembly. He would say of them that they were passed by Congress, and Congress is a wise body. That these laws were too deep for him; they might be right, and they might be wrong. But whatever might be their merits or demerits, it belonged to the people who held the reins over the head of Congress, and to them alone, to say whether they were acceptable or otherwise to Virginians; and that this must be done by way of petition. . . . 'If,' said he, 'I am asked what is to be done when a people feel themselves intolerably oppressed, my answer is ready—*overturn the government.* But do not, I beseech you, carry matters to this length without provocation. Wait at least until some infringement is made upon your rights that cannot be otherwise redressed; for if ever you recur to another change, you may bid adieu forever to representative government. You can never exchange the present government but for a monarchy. If the Administration have done wrong, let us all go wrong together.'

"Here he clasped his hands and waved his body to the right and left, his auditory unconsciously waving with him. 'Let us,' said he, 'trust God and our better judgment to set us right hereafter. United we stand, divided we fall. Let us not split into factions which must destroy that union upon which our existence hangs. Let us preserve our strength for the French, the English, the Germans, or whoever else shall dare invade our territory, and not exhaust it in civil commotions and intestine wars.'"

When Henry had ceased, friends took him up in their arms and bore him to a room. Dr. Rice, standing by, said: "The sun has set in all its glory."

It was not until later that the expression, "the rising and the setting sun," was applied to the chief orators at this Charlotte gathering. "The rising sun" was

Randolph—"young Jack Randle," as he was locally called.

"For some moments," says Garland, "he [Randolph] stood in silence, his lips quivering, his eyes swimming in tears; at length he began a modest though beautiful apology for rising to address the people in opposition to 'the venerable father.'" He was hoarse, and therefore could not do himself justice, but he entertained and held the great assemblage for a long while—three hours, it is said. "He rarely failed with a Virginia assembly," comments Henry Adams; "and in this case his whole career depended on success. . . . What he said is not recorded, and in no case would it be very material. . . . At this period Randolph did not talk in the crisp, nervous, pointed language of his after life, but used the heroic style." Garland attempts a summary of the speech; but Adams surmises that it "could have been only a solemn defence of States' rights; an appeal to State pride and fear; an *ad hominem* attack on Patrick Henry's consistency, and more or less effective denunciation of Federalists in general. What he could not answer, and what must become the more impressive through his own success, was the splendor of a sentiment; history, past and coming; the awe that surrounds a dying prophet threatening a new doom deserved." Adams is impelled to urge that nothing in Henry's life was nobler than his last public act. He says, with eloquence:

"The greatest orator and truest patriot, a sound and consistent democrat, sprung from the people and adored by them—this persistent and energetic opponent of the Constitution, who had denounced its over-swollen powers and its 'awful squint towards monarchy,' now came forward, not for office, nor to qualify or withdraw anything he had ever said, but with his last breath to warn the people of Virginia not to raise their hand against the national government. . . . In the light

of subsequent history, there is a solemn and pathetic grandeur in this dying appeal of the old Revolutionary orator."

It is doubtful whether Henry left his room during Randolph's speech. "About this whole scene," says Moses Coit Tyler, "have gathered many myths." Some writers, misled by a life of Henry in "The New Edinburgh Encyclopedia," 1817, have repeated the story that Henry replied to Randolph, but there was no such reply. Nor can there be entire truth in the anecdote which makes Henry say of Randolph: "I haven't seen the little dog before since he was at school. He was a great atheist then." He had seen Randolph in court during Richard Randolph's trial, and probably at the time of the argument in the British Debt Cause. Garland says that they dined together after the Charlotte meeting. Henry said, in his kind way: "Young man, you call me 'father.' Then, my son, I have something to say unto thee: *Keep justice, keep truth*—and you will live to think differently." But all his life Randolph clung to the State Rights doctrine. He was sincere in his belief. It was his fiercest conviction.

Oddly enough, at the April election both Henry and Randolph were chosen—one to the Legislature, the other to Congress; but Henry was never again to leave Red Hill, whither he had returned in physical distress. He had drawn too heavily on his store of vitality. He was obliged to take to his bed. He became much emaciated. Nevertheless, he got out of bed to write a reply to Timothy Pickering, Secretary of State, declining the appointment as Minister to France. This was on the 16th of April. May found him weaker still. Intestinal disorder developed. The leading physician in that part of the State, Dr. George Cabell, of Lynchburg, remained with Henry constantly. "Dear Patsy," he wrote to his daughter, Mrs. Martha Fontaine, who had

continued to dwell in the Leatherwood country, "I am very unwell, and Dr. Cabell is with me." When Mrs. Fontaine and others of his kin reached Red Hill, they "found him sitting in a large old-fashioned arm-chair, in which he was easier than in bed." The family's distress was deepened by the receipt of a letter, on June 1, from Judge Roane, who wrote to Henry: "The cup of my misery, my dear sir, is now full, by the loss of my most amiable, virtuous, and affectionate consort, your dutiful and affectionate daughter." But the letter was kept from Henry, lest the shock of Anne's death should make him worse.

Henry's disease was intussusception—"a form of obstruction of the bowels, in which part of the intestine enters within that part immediately beneath it. This can best be understood by observing what takes place in the fingers of a tightly fitting glove, as they turn outside in when the glove is pulled off the hand." Intestinal inflation with air, or surgery, would now be the treatment, but in those days it was different.

Henry died well—in the full faith. "Oh, how wretched should I be at this moment," he said, "if I had not made my peace with God!" There was a Socratic ease of spirit and a beautiful stoicism in his last act. His grandson, Patrick Henry Fontaine,* tells us about it:

"On June 6, all other remedies having failed, Dr. Cabell proceeded to administer to him a dose of liquid

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* Edward Fontaine wrote in the *Southern Churchman*, Alexandria, Va., Feb. 4, 1869: "My father, mother, uncle, and Aunt Dandridge gave me an account of his [Patrick Henry's] last illness and death, which I think worthy of preservation." Then follows in the *Southern Churchman* a statement of facts identical with those here presented; but our text follows Moses Coit Tyler's extract from the Edward Fontaine Manuscript at Cornell University. William Wirt Henry's account is practically the same.

mercury. Taking the vial in his hand, and looking at it a moment, the dying man said:

"'I suppose, doctor, this is your last resort?'

"The doctor replied: 'I am sorry to say, Governor, that it is. Acute inflammation of the intestines has already taken place; and unless it is removed, mortification will ensue, if it has not already commenced, which I fear.'

"'What will be the effect of this medicine?' said the old man.

"'It will give you immediate relief, or——' the kind-hearted doctor could not finish the sentence. His patient took up the word:

"'You mean, doctor, that it will give relief or will prove fatal immediately?'

"The doctor answered: 'You can only live a very short time without it, and it may possibly relieve you.'

"Then Patrick Henry said: 'Excuse me, doctor, for a few minutes;' and drawing over his eyes a silken cap which he usually wore, and still holding the vial in his hand, he prayed, in clear words, a simple, childlike prayer for his family, for his country, and for his own soul, then in the presence of death. Afterwards, in perfect calmness, he swallowed the medicine.

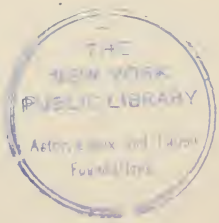
"Meanwhile, Dr. Cabell, who greatly loved him, went out upon the lawn, and in his grief threw himself down upon the earth under one of the trees, weeping bitterly. Soon, when he had sufficiently mastered himself, the doctor came back to his patient, whom he found calmly watching the congealing of the blood under his finger-nails, and speaking words of love and peace to his family, who were weeping around his chair. Among other things, he told them he was thankful for that goodness of God which, having blessed him all his life, was then permitting him to die without any pain. Finally, fixing his eyes with much tenderness on his dear friend, Dr.

Cabell, with whom he had formerly held many arguments respecting the Christian religion, he asked the doctor to observe how great a reality and benefit that religion was to a man about to die. And after Patrick Henry had spoken to his beloved physician those few words in praise of something which, having never failed him in all his life before, did not then fail him in his very last need of it, he continued to breathe very softly for some moments; after which they who were looking upon him saw that his life had departed."

The garden walk at Red Hill leads to his grave. Box-tree hedges enclose a space fifty feet square, and here, side by side, are two oblong slabs of marble. The inscription on one reads: "To the memory of Dorothea Dandridge, wife of Patrick Henry. Born 1755. Died February 14, 1831." The other inscription reads: "To the memory of Patrick Henry. Born May 29, 1736. Died June 6, 1799. His fame his best epitaph."

GRAVES OF PATRICK HENRY AND HIS WIFE, DOROTHEA

(The roof of Red Hill is seen in the background. Between the graveyard and the house is the garden. The view is west.)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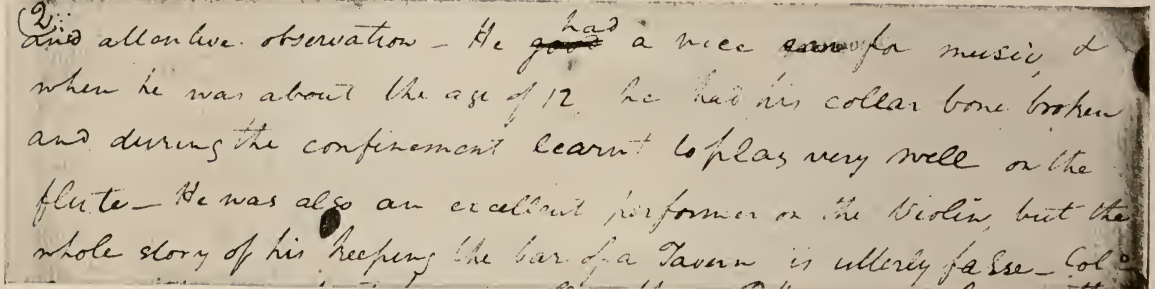
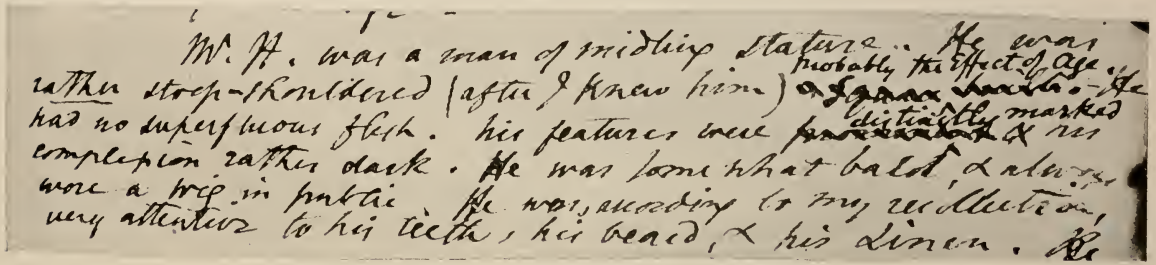


(Facsimile of a part of Colonel Samuel Meredith's Henry memorandum, as written down by Judge W. H. Cabell.)



(Facsimile of a passage in the Henry memorandum, by Judge Spencer Roane.)

APPENDIX

NOTE

When at the beginning of a book a reader looks with tolerance upon a writer's shortcomings, and not only gets into the habit of forgiving them, but lends a hand in working out the theme, all is apt to go well. But since what is one man's literary meat is another's poison, it may be assumed that we have had a reader of a different sort, less indulgent of the numerous licenses taken, who began critically, followed without sympathy, and continued cold to the end. In which case it is apparent that somebody still lacks a satisfactory grasp of Patrick Henry's attributes. But we have kept this type of reader in mind all along, and for his especial benefit now make a placatory offering—the well-rounded contemporary estimate of Henry by Judge Roane. This luminous Roane memorandum was written for Wirt, who seems to have undervalued it. We have used a little of it in the body of our book, but no more than was necessary in getting side-lights. The verified facts in the Wirt papers supplied by Nathaniel Pope, George Dabney, Charles Dabney, and Judge Edmund Winston have all been incorporated. Part of Meredith's narrative has appeared, but the main portion of it is now to precede Roane's. Together, they constitute an excellent survey of Henry's life.

Spencer Roane, son of William, born April 4, 1762, a legislator in 1782 and a member of the Executive Council in 1784, became in time a distinguished judge in the General Court and later in the Virginia Supreme Court. So ardent a Republican was he that he would permit no appeals from his Court to the Supreme Court of the United States. He died September 4, 1822.

Roane's candor, his judicial method, his plain way of putting things, his dignity of expression—these qualities enter into his style, which is patterned upon the straightaway narrative style most favored by substantial Americans. Though the memorandum has been extensively drawn upon by Henry writers, it has never before been published in its most forceful form—the consecutive form. It is here copied from the original manuscript; and is given in its entirety, with the exception of a few paragraphs cut out to avoid repetition.

Appendix A

COLONEL SAMUEL MEREDITH'S STATEMENT

(AS TAKEN DOWN BY JUDGE WILLIAM H. CABELL)

PATRICK HENRY was born in Hanover, May 18th [Old Style], 1736. His father was a Scotchman, from Aberdeen, of a very liberal and extensive education.[a] He was sent to a common English school until about the age of ten years, where he learned to read and write, and acquired some little knowledge of arithmetic. He never went to any other school, public or private, but remained with his father, who was his only Tutor.[b] With him he acquired a knowledge of the Latin language[c] and a smattering of the Greek. He became well acquainted with the Mathematics,[d] of which he was very fond. At the age of 15 he was well versed in both ancient and modern History. His uncle had nothing to do with his education.

Until he arrived to eminence at the Bar, there was nothing very remarkable in the person, mind, or manners of Mr. Henry. His disposition was very mild, benevolent, and humane. He was quiet and inclined to be thoughtful, but fond of society. From his earliest days he was an attentive observer of everything of consequence that passed before him. Nothing escaped his attention. He was fond of reading, but indulged much in innocent amusements. He was remarkably fond of his gun. He interested himself much in the happiness of others, particularly of his sisters, of whom he had eight, and whose advocate he always was when any favor or indulgence was to be procured from their mother.

In his youth he seemed regardless of the appearance of his outside dress, but was unusually attentive in having clean linen and stockings. He was not remarkable for an uncouth or genteel appearance (the preceding remarks are particularly applicable to Mr. Henry's youth), and in fact there was nothing in early life for which he was remarkable except his invariable habit of close and attentive observation. He had a nice ear for music, and when he was about the age of 12, he had his collar bone broken, and during the confinement learned to play very well on the flute. He was also an excellent performer on the violin, but the whole story of his keeping the bar of a

tavern is utterly false. Col. Meredith was about four years older than P. Henry, and lived within four miles of him from his birth till he (P. H.) left Hanover, and declares that there is no man to whom such an occupation would have been more abhorrent.[e]

He was, in early youth, as in advanced life, plain and easy in his manners, exempt from that bashfulness often so distressing to young persons who have not seen much company.

It is not true that he left his father; on the contrary, he was one of the most dutiful sons that ever lived. Col. Meredith often heard this observation made by his father.

Although an excellent performer on the violin, he never played but in select companies[f] and for the amusement of his particular friends.

One thing is remarkable in Mr. Henry, and this information comes from his sister, Mrs. Meredith, a very pious woman, that he was never known in his life to utter the name of God except on a necessary or proper occasion.[g] He was through life a warm friend of the Christian religion. He was an Episcopalian, but very friendly to all other sects, particularly the Presbyterian. His father was an Episcopalian, his mother a Presbyterian. He was so pleased with Soame Jenyns' Internal View of the Christian Religion that, meeting with a copy of it when he was Governor, or shortly after, he had several hundred copies printed and distributed at his own expense. Doddridge's Rise and Progress of Religion was his favorite author on the subject of Religion.

About the age of 15 he became clerk for some merchant in Hanover, and continued in that employment for one year, when his father purchased a parcel of goods for him and his brother William, and they commenced business on their own account. They were jointly interested, but Patrick was the principal manager. They, however, did not continue business longer than one year, when it was found necessary to abandon it, as they had injured themselves by granting too extensive credit. P. H. was then engaged in winding up the business of the concern until he was married, the Fall after he was 18, to a daughter of Mr. John Shelton, who lived in the forks of Hanover. She was a woman of some fortune and much respectability, by whom he had six children. She died about the year '70 or '71.[h] In April '76[i] he was married to a daughter of Mr. Nath'l Dandridge, now the wife of Judge Winston, by whom he had nine children—living at, or some short time before, his death.

P. H. lived in Hanover till about the year '64 or '65, when he removed to Louisa, which County he represented when he made the famous stand against the Stamp Act. He returned to Hanover in '67 or '68, where he purchased Scotch Town, a noted place, the former seat of Col. Chessil, where he remained until he was elected Governor. On his resignation as Governor he removed to Leatherwood, in Henry County, where he had purchased a large body of land. He remained there several years, then gave the most of his land there to his children by his first wife, retaining the balance. He then removed[k] to Prince Edward, where he continued 6 or 7 years, and then moved to Long Island, in Campbell, where he continued three or four years, and then moved to Booker's Ferry on Stanton river, where he lived till his death, except that he occasionally moved from Booker's Ferry, or Red Hill (the name of his seat), to Long Island during the sickly months. His furniture was all of the plainest sort, consisting of necessaries only; nothing for show or ornament. He regarded as nothing the trouble of moving, and would change his dwelling with as little concern as a common man would change a coat of which he was tired. He was uncommonly hospitable; his attentions were not confined to the rich, the great, or wise, but he was familiar with every man of good character.

On his first marriage, he received from his father-in-law a tract of land and 14 or 15 negroes; and also a tract of land and 4 or 5 negroes from his father. He then commenced farmer, and so continued till he commenced the study of the Law, about 18 months before the trial in Hanover Court of the famous cause commonly called the " Parsons' Cause."

He did not read Law under the direction of any person.[l] It was not even made known to any of his friends until he consulted his friend John Lewis as to his fitness to commence the practice, who encouraged him to apply for a license, in which application he was successful.

He began the practice in Hanover and Louisa, but got little or no business and made no figure until the above mentioned trial in Hanover. It should have been observed that he was not more than six or eight months engaged in the study of the Law,[m] during which time he secluded himself from the world, availing himself of the use of a few Law books owned by his father. . . .

Col. John Henry, the father of Patrick Henry, had one other son, named William, and seven daughters. Wm. received an estate from his father in Fluvanna, near the mouth of Hard-

ware, where he died, leaving only one child, which died in a short time after.

About the year '64 or '65, Col. John Henry's fortune having been much reduced from a want of good management and knowledge of plantation affairs, he engaged in the business of keeping a school, and took charge of 10 or 12 boys, whom he taught for about twelve months, when he was assisted by a Scotchman whose name was Walker. He then took about twenty scholars, and continued for four or five years to teach that number, when he died. . . .

P. H. in a communication to Col. M. stated his motives for resigning his commission as Colonel. He conceived himself neglected by younger officers having been put above him and preferred to him, particularly in the affair of the Great Bridge, where he wished to have commanded, but Col. Woodford received that appointment.

He disliked being kept in and about Williamsburg and not appointed to some more important Post or expedition. He was thus induced to think he was neglected by those who had the power of appointment. He therefore resigned.

NOTES ON COL. MEREDITH'S NARRATIVE

(BY S. R. [JUDGE ROANE])

(He married Mr. H.'s sister, and had good opportunity of information on the subjects on which he speaks.)

[a] So I have always understood.

[b] His father, therefore, taught him.

[c] I have always supposed he had learned some Latin; I have no knowledge as to Greek.

[d] I have an idea that he was fond of Mathematics and Natural Philosophy, tho' I suppose he was not regularly educated in the latter.

[e] This I entirely believe to have been the case.

[f] I never heard him play, tho' he may have done so in the former part of his life, or when I was not present; tho' I rather think he never played in his latter years.

[g] I never heard him swear that I remember.

[h] Judge Winston says in 1775.

[i] Winston says in '77—which I think was the case, as I have always understood it was after he was Governor.

[k] This was after he resigned the Government, in Dec. '86.

[l] I never understood that he did.

[m] Winston says *six weeks.*

Appendix B

JUDGE SPENCER ROANE'S MEMORANDUM

My acquaintance with the late Patrick Henry did not commence till the year 1783. In the Spring of that year I met him in the General Assembly, as a Delegate for the County of Henry, and served four sessions with him in that year and the next.

Although during that period I often heard him speak, I formed no very particular acquaintance with him, as I was then a very young man, and was naturally averse from pushing myself into the society of so distinguished a character.

Richard Henry Lee was also a Delegate during those years and with him I was well acquainted, almost from my childhood. He had been very often at my father's house, who had long served in the Assembly with him, as well as with Patrick Henry, and when a young man had written in the office of Col. Geo. Lee, the Clerk of Westmoreland and a relation of R. H. Lee's.

In the Fall session of '84, Mr. Henry was elected Governor the second time, commencing in December of that year. I was elected a Councillor the same session, to commence in the May following. Mr. Henry continued Governor then two years, and I remained in the Council till the end of the year '86, when I resigned.

During that time I had an opportunity to become well acquainted with Mr. H., and especially as I had, during the time, formed connection in his family, in which I was, of course, domesticated.

After he had ceased to be Governor, and I had left the Council, owing to the distance by which we were separated I only saw him in the Assembly, of which he was a Delegate from Prince Edward and I a member of the Senate, until I rode the Circuit as a Judge of the General Court, in 1790 and the four succeeding years. I was, during those years, at least three times on his Circuit, and every time left my family at his residence in Prince Edward, and at Long Island, and accompanied him to the Courts of Prince Edward and New London, in which he then practised, and on to Great Bridge Court, whither he went to defend a criminal. This gave me

an opportunity to see him in a new character: that of a counsellor in civil and criminal cases.

After I ceased to ride the Circ't, by being elected into the Court of Appeals, and he quitted the practice of law, I never again saw him, owing to the distance, though I was at his house on my last Circuit, in the Fall of '94. He was always in his lifetime very cordial and affectionate towards me.

I have entered into this detail to show that, although I am unable to say much of his life or character prior to '83, except from the information of his family and others, I have had some opportunity to be well acquainted with him since that period. . . .

With respect to the domestic character of Mr. Henry, nothing could be more amiable. In every relation, as a husband, father, master, and neighbor, he was entirely exemplary. It is no exception from this character that, I conceive, he meditated an act of injustice towards some of his first children, by his last Will; one of whom, too, at least, was a favorite child. That is to be ascribed to the extreme debility under which he then labored, and the urgent importunity of an interested second wife, who assailed him with the claims of her nine children. (This occurrence, of course, will not be mentioned in his biography. I may be mistaken in the idea, and it had better sink into oblivion.*)

The particulars of this transaction are detailed in a suit I brought in the Court of Chancery, against his Executors, after his death, and in which I recovered. I have no wish to bring that transaction into this detail; I only now mention it for the purpose of declaring that even that occurrence forms no exception against his justice as a parent; it was entirely owing to the debility and to influences . . . [illegible].

As to the disposition of Mr. Henry, it was the best imaginable. I am positive that I never saw him in a passion, nor apparently even out of temper. Circumstances which would have highly irritated other men had no such visible effect on him. He was always calm and collected, and the rude attacks of his adversaries in debate only whetted the poignancy of his satire. Witness his cutting reply to F. Corbin in the Virginia Assembly, about bowing, of which no doubt Mr. Wirt has been informed. It exceeded anything of the kind I ever heard. He spoke and acted this reply, and Corbin sank at least a foot in his seat.

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* Roane was of course an interested party. Patrick Henry's provision for the children of his first wife had been liberal.

Shortly after the Constitution was adopted, a series of the most abusive and scurrilous pieces came out against him, under the signature of *Decius.* They were supposed to be written by Mr. Nicholas (Americanus), with the assistance of other more important men. They assailed Mr. Henry's conduct in the Convention, and slandered his character by various stories hatched up against him. These pieces were extremely hateful to all Mr. H.'s friends, and indeed to a great portion of the community.

I was at his house in Prince Edward during the thickest of them, and I declare that he seemed to evince no more desire to see the newspapers containing them than the most indifferent person in the County. He evinced no feeling on the occasion, and far less condescended to parry the effects thereof on the public mind. It was too puny a contest for him, and he reposed upon the consciousness of his own integrity.

Patrick Henry had a remarkable faculty of adapting himself to his company. Of this talent, so important to him as a public speaker, I shall presently speak; at present I have only reference to the ordinary intercourse of society. He would be pleasant and cheerful with persons of any class or condition, vicious and abandoned persons always excepted. He preferred those of character and talents, but would amuse himself with any who could contribute to his amusement.

Although sufficiently tenacious of his character and dignity, he was not to be offended by rude liberties when no offence was intended. I will give one instance which struck me in a remarkable manner. He had been to Greenbrier Court to defend a criminal named Holland, of which trial I shall speak more particularly hereafter.

This trial had attracted great attention in the upper country and in Mr. Henry's own neighborhood. I was returning therefrom with Mr. H., and within 15 miles of his house we saw a laboring man at a Brake by the road, and believe he was known to Mr. H. He accosted Mr. Henry with "How do you do, Colonel?" Mr. H. replied. He then asked Mr. H. what he had done with Holland. Mr. H. replied that he was acquitted, on which the man replied, with great seeming exultation, "Hurrah for old Henry!" Mr. H., not at all offended with the coarseness of this exclamation, bid the man good-bye, and jogged down the road, smiling.

Mr. Henry was a child of Nature. He preferred, I believe, being in the country, and to be free from the restraints of polished society; yet he could readily adapt himself to that

situation. When he was Governor the second time (and I presume more so the first), he rarely appeared in the streets, and never without a scarlet cloak, black clothes, and a dressed wig, &c. The ideas attached to the office of Governor, as handed down from the Royal Government, had not then got down to their present level; and I expect he considered this course a just adaptation to the public opinion. . . . With great simplicity and suavity of manner, he had as much true dignity as any man. . . . His dress was plain, as also was his house and furniture, and he was careless about his diet. He took no delight in the pleasures of the table. He was one of the most temperate men I ever knew. He rarely drank any wine or spirits, and his frequent custom was, in the country, to go to a wooden cask and drink water out of a gourd.

I believe he had been fond of hunting and fishing in his youth, but I saw nothing of it after I became acquainted with him; except that when he lived at Long Island he showed me a Slope, or fish trap, which he made across a branch of Staunton river, that furnished fish for his family, and spoke with pleasure of a buck which had recently been caught therein by having been brought down the river in the current.

I have no doubt, from report, but Mr. H. had been a good performer on the violin, and was in other respects a musical man; but I never heard him play on a violin, or any other instrument, or even sing or hum a tune. His daughters played on musical instruments, but these seemed not much to engage his attention.

His great delight was in conversation, and in the society of his friends and family, and in the resources of his own mind. I have understood from the family that he had engaged in trade when young, and had failed; but I never heard that he was ever a bar-keeper, nor do I believe it. *If* his father-in-law owned a tavern, it is possible that he might have assisted gratuitously, at times, but the man's nature must have changed if he could ever have been adapted to a calling of this kind. I have no conception of any man who would have been more abhorrent at mixing toddy and seeing it drunk in a tavern than Patrick Henry. The case is, however, unimportant; his rise in the world has been sufficiently remarkable without introducing into his history fiction of this kind.

As to the kind of clothes in which he went dressed in his youth, according to some of the statements, we must refer (unless they be ascribed to a poverty so extreme as to have denied him better, and which I have never understood

was the case) to the customs of the times in which he lived. I can myself remember when there was only one four-wheeled carriage, and two pair of boots (called shoe-boots), in the wealthy and fashionable County of Essex. I myself delighted to go barefooted and in trousers until I went to College, and I have heard my father say that his father, when possessed of perhaps 100 Negroes, and when he was a Colonel of Militia and Justice of the quorum, would in his shirt and trousers (in summer) visit two or three of his plantations and return home to breakfast.

I have said that Mr. Henry could adapt himself to all men in a remarkable manner. He was also well acquainted with the transactions of life, or, in other words, was a man of business. He could buy or sell a horse or a Negro as well as anybody, and was peculiarly a judge of the value and quality of land. He made several excellent bargains for lands in the latter part of his life, owing to his foresight and judgment. When I have told him that his lands were too far from market, he once replied to me that when he lived at Leatherwood, 180 miles from Richmond, persons passing by his house, from the upper parts of North Carolina, envied him his contiguity to market.

No man ever vaunted less of his achievements than Mr. Henry. I hardly ever heard him speak of those great achievements which form the prominent part of his biography. As for *boasting,* he was an entire stranger to it; unless it be that in his latter days he seemed proud of the goodness of his lands, and, I believe, wished to be thought wealthy. It is my opinion that he was better pleased to be flattered as to his wealth than as to his great talents. This I have accounted for by reflecting that he had long been under narrow and difficult circumstances as to property, from which he was at length happily relieved, whereas there never was a time when his talents had not shone conspicuous, tho' he always seemed unconscious of them.

With respect to Mr. Henry's education, he was equally silent on that subject to S. R. If he got a license after six weeks' reading, that was the very reason why he would not mention it, as it would look like boasting.

I never heard Mr. Henry (nor Mr. Pendleton) say that he read Mr. Pendleton's books, nor do I believe it. If he had been under any obligations to Mr. P., he would have been grateful for them; but, on the contrary, I have reason to believe that he was not very fond of Mr. P., nor Mr. P.

of him. I have heard Mr. Henry say that Mr. Pendleton was too much devoted to the aristocracy of former times; that he was not thorough-going enough in the Revolution; that he was in favor of an established church, when as a member of Congress he was contending for civil liberty; and that Mr. P., on the bench of Caroline Court, justified the imprisonment of several Baptist Preachers, who were defended by Mr. Henry, on the heinous charge of worshipping God according to the dictates of their own consciences; and that Mr. Pendleton was a man of too much courtesy in his passage through life, thereby meaning that he had too little candor, &c. On the contrary, I have heard Mr. P. insinuate of Mr. H., as far as he could do so in my hearing, who was connected with him, that he was a demagogue and a popular leader, &c. . . . I mention these things to show that I do not believe that Mr. Henry ever read Law with Mr. P. or owed him any obligations.

As to Mr. H.'s general education, I do not believe that he had a regular academical one, but I do believe that he had some knowledge of the Latin tongue, and acquaintance with some of the principal branches of Science. These a man of Mr. H.'s genius could not fail to acquire in a considerable degree, if not in the school room, at least at the dinner table of his father, who was a well educated man. If other men could not catch an education under these circumstances, it does not follow that Mr. H. could not, though it is said in some of the statements that he was taught by his father.

His genius was as far-soaring above those of ordinary men as is the first qualitied land of Kentucky beyond the sandy barrens of Pea Ridge (a barren ridge in King & Queen).

As to his using a translation of Livy, he may have never been able to read the original with perfect ease, or have forgotten the language. I was *once* able to read Homer with almost as much ease as the Spectator, which I owed to our good friend Warden and others, but am now obliged to read Pope's Homer, which Dr. Johnson (I think) says, and says truly, is not Homer's Homer.

As for the general character of Mr. Henry's library, I readily believe that he had not a complete or regular one. He was not a man of regularity or system. When at his dwelling at Prince Edward, I lodged with my family in his study (house room being scarce), and there saw his library fully. I remarked that it consisted sometimes of odd volumes, &c., but of good books. I believe that an inventory and catalogue of the books he died possessed of is filed in my former suit in the Chancery, before

mentioned, and I expect it would be found to come within this description. That he was acquainted with ancient History and Mythology needs no further proof than the eloquent parallel used by him in his argument on the British Debt Case, between Rhadamanthus, Nero, and George III.

I believe he was very fond of History, Magazines, good poetry or plays (say Shakespeare's), and I think was a very good geographer. He was particularly well acquainted with the geography, rivers, soil, climate, &c., of America. His speeches show that he was well acquainted with English History. I think he had some acquaintance with Mathematics and Natural Philosophy.

After all, while I believe that altho' Mr. H. had not a complete education, his great merit consists in this, that he acquired it by means impervious to ordinary men.

There was one trait in Mr. Henry, flowing from his good disposition and his magnanimity, which did him great credit and is universally admitted. He was extremely kind to young men in debate, and ever ready to compliment even his adversaries where it was merited; of the latter class, his high eulogium upon Col. Innes' eloquence in the Virginia Convention will be recollected; of the former class, the instances were innumerable. I will mention one which occurred in my own case. In the Spring of the year '83, several of the most respectable of my constituents of the County of Essex tarred and feathered one Jas. Williamson. He had been a merchant in Tappahannock, had gone to the British and endeavored to bring up tenders to burn the town during the war, and after the peace had returned to Tappahannock, where he was countenanced by some of the inhabitants. This gave such umbrage that he was pursued, caught, and tarred and feathered by the principal men of Essex. They were prosecuted for this misdemeanor in the general Court. While the prosecution was still pending, these citizens sent a petition to me in the Spring of '84, praying the Assembly to arrest the prosecution. I presented the petition, and got a law of indemnity in some progress, taking care to state, as the fact was, that the act was committed before the definitive treaty was signed, which was some alleviation of their conduct.

Mr. Henry took me out, one day, and said that he admired the Whig spirit which actuated me, but that the intervention of the Legislature could not be justified. I told him that the transaction was irregular, but that the provocation was great, and the act done, in some sense, *flagrante bello*. He persisted

in his opinion, and I maintained my ground, intimated that I hoped he would not oppose me, but that if he did, I must nevertheless proceed. He left me, and did not oppose me, which I ascribe to the trait now in question, and the act of indemnity passed. This is one small instance, but a thousand others might be mentioned.

Although I was personally unacquainted with Mr. Henry until 1783, I was no stranger to his character before that time. A volunteer at the age of thirteen, armed with a short carbine and tomahawk, and clothed in a hunting shirt with the words "Liberty or Death" engraved in capitals over my left breast, I could not be indifferent to the character of that man who electrified the American public by his eloquence in council, and roused them to resistance at a critical time by taking the field.

I had even before this formed a high opinion of this man's eloquence, talents, and patriotism. My father, a burgess for Essex from 1768 to the Revolution, and once or twice during the war, always came home in raptures with the man. That a plain man, of ordinary though respected family, should beard the aristocracy by whom we were then cursed and ruled, and overthrow them in the cause of independence, was grateful to a man of my father's Whig principles. He considered Henry as the organ of the great body of the people; as the instrument by whom the big-wigs were to be thrown down, and liberty and independence established.

It is among the first things I can remember, that my father paid the expenses of a Scotch tutor residing in his family, named Bradfute, a man of learning, to go with him to Williamsburg to hear Patrick Henry speak; and that he laughed at Bradfute, on his return, for having been so much enchanted with his eloquence as to have unconsciously spirted tobacco juice from the gallery on the heads of the members, and to have nearly fallen from the gallery into the House. At a subsequent time, too, my father carried another tutor and myself, when not ten years old, to Williamsburg, on purpose to hear Patrick Henry speak, but no occasion brought him out before the vacation had expired, and we returned home. . . .

With these impressions, I met Patrick Henry in the Assembly in May, 1783. I also then met with Richard Henry Lee. I lodged with Lee one or two sessions, and was perfectly acquainted with him, while I was as yet a stranger to Mr. Henry. These two gentlemen were the great leaders in the

House of Delegates, and were almost constantly opposed. Notwithstanding my habits of intimacy with Mr. Lee, I found myself obliged to vote with Patrick Henry against him in 1783, and against Madison in 1784 (in which year, I think, R. H. Lee was sent to Congress), but with several important exceptions. I voted against him (P. H.), I recollect, on the subject of the refugees—he was for permitting their return; on the subject of a general assessment, and the act of incorporating the Episcopal Church. I voted with him in general, because he was, as I thought, a more practical statesman than Madison (time has made Madison more practical), and a less selfish one than Lee.

As an orator, Mr. Henry demolished Madison with as much ease as Sampson did the cords that bound him before he was shorn; Mr. Lee held a greater competition. There were many other great men in the House, but as orators they cannot be named with Henry or Lee. Mr. Lee was a polished gentleman. His person was not very good, and he had lost the use of one of his hands, but his manner was perfectly graceful. His language was always chaste, and although somewhat too monotonous, his speeches were always pleasing; yet he did not ravish your senses nor carry away your judgment by storm. His was of the mediate class of eloquence described by Rollin in his "Belles Lettres." He was like a beautiful river meandering through a flowery mead, but which never overflowed its banks. It was Henry who was the mountain torrent that swept away everything before it. It was he alone who thundered and lightened. He alone attained that sublime species of eloquence also mentioned by Rollin.

It has been one of the greatest pleasures of my life to hear these two great masters, almost constantly opposed to each other, for several sessions. I had no relish for any other speaker. Henry was almost always victorious. He was as much superior to Lee in temper as in eloquence, for while the former would often apologize to the House for being so often obliged to differ from the latter, which he assured them was from no want of respect for him, I once heard Mr. Lee say in a pet, after sustaining a great defeat, that if the votes were weighed instead of being counted, he would not have lost it.

Mr. Henry was inferior to Mr. Lee in the gracefulness of his action, and perhaps also the chasteness of his language; yet his language was seldom incorrect, and his address always striking. He had a fine blue eye and an earnest manner which

made it impossible not to attend to him. His speaking was unequal, and always rose with the subject and the exigency. In this respect he entirely differed from Mr. Lee, who was always equal. At some times Mr. Henry would seem to hobble (especially in the beginning of his speeches), and at others his tones would be almost disagreeable; yet it was by means of his tones and the happy modulation of his voice that his speaking had, perhaps, its greatest effect. He had a happy articulation and a clear, distinct, strong voice, and every syllable was uttered. He was very unassuming as to himself, amounting almost to humility, and very respectful towards his competitor; the consequence was that no feeling of disgust or animosity was arrayed against him. His exordiums in particular were often hobbling, and always unassuming. He knew mankind too well to promise much. They were of the "menin aeide" cast (of Homer) rather than of the "fortunam Priami" of some author whose name is forgotten.

He was great at a reply, and greater in proportion to the pressure which was bearing upon him. The resources of his mind and of his eloquence were equal to any drafts which could be made upon them. He took but short notes of what fell from his adversaries, and disliked the drudgery of composition, yet it is a mistake to say he could not write well. Many of his public letters prove the contrary. I do not know that he ever wrote anything for the press.

It has been urged against Mr. Henry by his enemies, and by the aristocrats whom he overthrew, that he always seized and advocated the popular side of the question. Nothing is less true. He opposed General Washington and an [illegible] world (as he said) on the subject of the Constitution. The man who would do this cannot be suspected of want of firmness to pursue his own opinions. The man who moved the Stamp Act resolutions, and took up arms to recover the gunpowder, pursued his own course. He had no certain indication of the popular opinion in either case, and both measures were esteemed by ordinary men too rash and bold to be popular. Besides, why court the popular opinion when he wanted not popularity, for he had resisted (in the latter part of his life) every distinction which was offered him?

On this subject, I take the fact to be that he generally thought like the most of people, because he was a plain, practical man, because he was emphatically one of the people, and because he detested, as a statesman, the projects of theorists and bookworms. His prejudices against statesmen of this

character were very strong. He emphatically led the people in promoting and effecting the Revolution.

At the bar Mr. Henry was equally successful. When I saw him there, he must necessarily have been very rusty, yet I considered him a good lawyer. He was acquainted with the rules and canons of property. He would not, indeed, undergo the drudgery necessary for complicated business, yet I am told that in the British Debt Case he astonished the public not less by the matter than manner of his speech. It was as a criminal lawyer that his eloquence had the fairest scope, and in that character I have seen him. He was perfect master of the passions of his auditory, whether in the tragic or the comic line. The tones of his voice, to say nothing of his matter and gestures, were insinuated into the feelings of his hearers in a manner that baffled all description. It seemed to operate by mere sympathy, and by his tones alone it seemed to me that he could make you cry or laugh at pleasure; yet his gesture came powerfully in aid, and if necessary would approach almost to the ridiculous. This was the case in the "roasting case" to be presently mentioned. So in Corbin's case. . . . I will endeavor to give some account of his tragic and comic effect in two instances that came before me.

About the year 1792 one Holland killed a young man in Botetourt. The young man was popular, and lived, I think, with King, a merchant in Fincastle, who employed John Breckenridge to assist in the prosecution of Holland. Holland had gone up from Louisa as a schoolmaster, but had turned out badly, and was very unpopular. The killing was in the night, and was generally believed to be murder. He was the son of one Dr. Holland, who was yet living in Louisa, and had been one of Mr. Henry's juvenile friends and acquaintances. At the instance of the father, and for a reasonable fee, Mr. Henry undertook to go to Greenbrier Court to defend Holland. Mr. Winston and myself were the judges. Such were the prejudices there, as I was afterward informed by Thomas Madison, that the people declared that even Patrick Henry need not come to defend Holland unless he brought a jury with him.

The day of the trial the Court House was crowded, and I did not move from my seat for 14 hours, and had no wish to do so. The examination took up a great part of the time, and the lawyers were probably exhausted. Breckenridge was eloquent, but Henry left no dry eye in the Court House. The case, I believe, was murder, though possibly manslaughter only,

and Henry laid hold of this possibility with such effect as to make all forget that Holland had killed the storekeeper, and presented the deplorable case of the jury killing Holland, an innocent man. He also presented, as it were at the Clerk's table, old Holland and his wife, who were then in Louisa; asked what must be the feelings of this venerable pair at this awful moment, and what the consequences to them of a mistaken verdict affecting the life of their son. He caused the jury to lose sight of the murder they were trying, and weep with old Holland and his wife, whom he painted, and perhaps proved to be, very respectable. All this was done in a manner so solemn and touching, and a tone so irresistible, that it was impossible for the stoutest heart not to take sides with the criminal. During the examination the bloody clothes were brought in. Mr. Henry objected to their exhibition, and applied most forcibly and pathetically Antony's remarks on Cæsar's wounds; on those dumb mouths which would raise the stones of Rome to mutiny. He urged that this sight would totally deprive the jury of their judgment, which would be merged in their feelings. The motion fell, Mr. Winston being of opinion to reject them; I was of opinion to receive them as explanatory of the nature of the crime, by showing in what direction the strokes were given.

The result of the trial was that, after a retirement of an half or a quarter of an hour, the jury brought in a verdict of *not guilty!* But on being reminded by the Court that they might find an inferior degree of homicide, they then brought in a verdict of manslaughter.

Mr. Henry was equally successful in the comic line. Mr. Wirt has heard, no doubt, how he choused John Hook out of his cause by raising the cry of "Beef" against him. I will give a similar instance. About the year 1792 there were many suits on the south of James river for inflicting Lynch law. A verdict of $500. had been given in Prince Edward district court in a case of this kind. This alarmed the defendant in the next case, who employed Mr. Henry to defend him. The case was that a waggoner and the plaintiff were travelling to Richmond, and the waggoner knocked down a turkey and put it into his waggon. Complaint was made to the defendant, a justice; both the parties were taken up, and the waggoner agreed to take a whipping rather than be sent to jail, but the plaintiff refused. The justice, however, gave him also a small whipping, and for this the suit was brought. The plaintiff's plea was that he was wholly innocent of the act committed.

Mr. Henry, on the contrary, contended that he was a party aiding and assisting. In the course of his remarks he thus expressed himself: "But, gentlemen of the jury, this plaintiff tells you that he had nothing to do with the turkey—I dare say, gentlemen, not until it was *roasted,*" etc. He pronounced the word *roasted* with such rotundity of voice, and comicalness of manner and gesture, that it threw every one into a fit of laughter at the plaintiff, who stood up in the place usually allotted to criminals, and the defendant was let off with little or no damage.

I have likened this faculty of Mr. Henry of operating upon the feelings, whether tragic or comic, by the mere tone of his voice, to the experiment of ringing a series of glasses by rubbing one of them with the finger. It operated by sympathy. Yet he ranted not, nor did he distress himself or his audience by an unnatural stretching of his throat. He had a perfect command of a strong and musical voice, which he raised or lowered at pleasure, and modulated so as to fall in with any given chord of the human heart.

It is to be also observed that although his language was plain, and free from unusual or high-flown words, his ideas were remarkably bold, strong, and striking. By the joint effect of these two faculties, I mean of the power of his tone or voice and the grandness of his conceptions, he had a wonderful effect upon the feelings of his audience. Both of these concurred in the famous speech in the Convention which was interrupted by a storm, and of which I see Mr. Wirt has a note. The question of adoption was approaching, and from that cause every one had an awful and anxious feeling. This was, as it were, the parting speech of Mr. Henry, and he was depicting the awful immensity of the question and its consequences as it respected the present and future generations. He stated that the ethereal beings were awaiting with anxiety the decision of a question which involved the happiness or misery of more than half the human race. He had presented such an awful picture, and in such feeling colors, as to interest the feelings of the audience to the highest pitch—when lo! a storm at that moment arose, which shook the building in which the Convention were sitting, and broke it up in confusion. So remarkable a coincidence was never before witnessed, and it seemed as if he had indeed the faculty of calling up spirits from the vasty deep.

Mr. Henry was remarkably well acquainted with mankind. He knew well all the springs and motives of human action.

This faculty arose from mingling freely with mankind and from a keen and constant observation. From this faculty, and his great command of temper, he would have made a great negotiator. In fact, he was a great negotiator, for in managing a jury or a popular assembly he measured and gauged them by a discriminating judgment. He knew how much they would bear, and what was the proper string to touch them upon. The same faculty and discernment which enabled him to buy a tract of land, or a negro, on good terms, and to govern a jury or a popular assembly at pleasure, by measuring the depth of those with whom he was dealing, would have enabled him to fathom the views and feelings of Courts and Cabinets.

The advantage of Mr. Henry's education consisted in this, that it arose from some reading which he never forgot, and much observation and reflection. It was remarked of Montesquieu's "Spirit of Laws" that it was a good book for one travelling in a stage-coach, for that you might read as much of it in half an hour as would serve you to reflect upon a whole day. Such was somewhat the proportion between Mr. Henry's education as drawn from reading and from observation and reflection.

He read good books as it were for a text, and filled up the picture by an acute and penetrating observation and reflection and by mingling in the society of men. He had practised law in the County Courts: a school remarkably well adapted to acquaint a person with mankind in general.

Mr. Henry was very fond of men of genius, and on this ground he was much attached to Dr. McClurg, and had a great agency in getting him into the Council in May, 1784. Dr. McClurg, I believe, would not have been then elected but for a speech of his just before the ballot. As he spoke, many members were seen to tear up their ballots prepared for other candidates. Mr. Henry took the ground for Dr. McClurg that he was a man of great genius and eminence in his profession. At this time party had not thrown our citizens so far asunder.

Mr. Henry did not permit political prejudices to tear asunder his friendships. I have heard that he interfered with the Committee of Hanover in favor of Mr. Lyons, an old friend and fellow-practitioner at the bar, and got him excused when suspected of some disaffection. He acted a very friendly and liberal part towards Mr. Ambler when Treasurer, who by some means sustained a considerable loss of public money, and for which Ambler was grateful.

Mr. Henry's talent for humor showed itself sometimes in a remarkable manner. About the year 1790, as I think I have heard him or some of the family say, General Lawson applied to him for his friendly advice touching the state of his affairs, which were deplorably bad. Lawson had been a Revolutionary patriot and soldier, and a colleague of Mr. Henry in the Assembly and Convention. Mr. Henry secured a full and frank disclosure. After he was done, H. paused, and Lawson requested his opinion; on which Henry, looking at him significantly, said, "Why, faith, General, you had better run away." This, which was perhaps a jest in Henry, was literally followed by Lawson, who ran to Kentucky, spent his estate, and came to a wretched end.

In estimating Mr. Henry's standing and endowments, the difficulties under which he labored ought to be taken into consideration. He was without a regular academical education. He was poor, married young, and had a numerous family. For a great part of his life (tho' he died rich) he was struggling in debt and difficulties. Where were his means and leisure for improvement? Contrast him in these respects with Madison, for example. Madison was born to affluence. His father early gave him a competent fortune, which also, I believe, he managed for him; and Madison lived with his father, I believe, till past the age of forty, unincumbered with the cares of a family or with keeping house. He had, besides, received a finished education at Princeton. He had every opportunity for improvement, and his life was that of a recluse and student. Had Mr. Henry had these advantages and been as studious as Madison, he would have excelled him, if possible, as much in the knowledge of books as he actually did in that of men: the great source of his superiority over Madison in public assemblies.

It has been said of Patrick Henry that he was not a military man, and *surmised* that he was deficient in personal courage. As to the last, he was so good-tempered a man that I never heard of his having a quarrel. He did indeed call on Edm. Randolph in '88. . . . He had, however, what suited us much better: an astonishing portion of political courage. Perhaps it is not too much to affirm that it is owing to this one quality of this single man that our revolution took place at the time it did. As to his being a military man, he was certainly not a man of system and regularity, nor do I believe that he was a good tactician. He may nevertheless have had a genius which would have made him adequate (with the aid of subal-

terns) to great military operations. As to his resigning the command of the first regiment, it is probable that he may have thought himself slighted by the Committee of Safety, tho' I never heard him complain of it. Indeed, he seldom complained (as to himself) of anybody. That committee, however, had a spice of the old aristocracy in it, by whom Henry was much hated, and it might have been agreeable to some of them to mortify him. Pendleton, the eclipsed rival of Henry, presided in the committee and had his party with him.

The principal reason, I believe, why he resigned was that he was called for by the public voice as Governor, and was perhaps indispensably necessary in that station. His competitor for that office was Secretary Nelson, who was beaten easily by Patrick Henry, although supported by all the aristocracy, and by Pendleton and perhaps a few others of plebeian standing.

Henry had strong prejudices for and against many of his political associates, though he only expressed them to his particular friends. He had the highest opinion of George Mason's talents, patriotism, and republican principles. He considered him as a man well acquainted with the interests of the people and warmly attached to the liberty of his country. A cordial friendship existed between them. Of R. H. Lee he did not think quite so well, and they were very often opposed to each other; yet they coalesced on great questions, as that of independence, and opposition to the federal constitution. In '88 Mr. Henry nominated Lee and Grayson as Senators (taking the unusual liberty of nominating *two*) against Madison, and they were elected. He was very fond of John Tyler, as a warm hearted patriot and an honest, sensible man, and many others not necessary to be now mentioned. As to Mr. Madison, he considered him in '83 and '4 as a man of great acquirements, but too theoretical as a politician, and that he was not well versed in the affairs of men. This opinion increased in the Convention of '88; he was astonished that Madison would take the Constitution, admitting its defects, and in a season of perfect peace, and believed him too friendly to a strong government and too hostile to the Governments of the States. On these grounds he was rejected as a Senator in '88; and probably this rejection was useful to Madison, for, to regain the confidence of his native State, he brought forward the amendments introduced in '89 into the Constitution.

Henry's prejudice against Madison always remained in some degree, and to this cause may in some measure be ascribed

his alleged secession from the Republican party, now headed by Madison, toward the close of his life. With respect to this alleged change of his political principles, I shall say what I know about it. When I was last with him, in October, '94, there was no difference between his opinions and mine that I could discover. I was extremely well pleased with all his opinions, which he communicated freely. He had, after the adoption of the Constitution, taken the anti-federal side in the Assembly on all occasions. After this, matters seeming to come to extremities in relation to our foreign affairs, I understood, for I never again saw him, that he disapproved the policy of embarking in the cause of France and running the risk of a war with Britain. Possibly his sagacious mind foresaw the issue of the French Revolution, and dreaded the effect of a war with England upon our free government, and upon the finances of the United States.

After it began to be rumored that he had changed his opinions, he wrote me several letters alluding to the report, and averring that his opinions were not changed, and that he was too old to change them, but admitting that he differed from the Republican leaders as to some of their measures, which he considered unwise and impolitic. I saw another long letter to one of his daughters, who had apprised him that he was charged with a change of his opinions, entirely to the same effect. According to the best of my recollection, this letter had some cant of religious professions, and complaint of the decay of virtue, &c., which I rather think indicated a change in him, and some debility or gloom in his understanding. The particular date of it is not recollected, but I rather think it was within the two years in which Judge Winston says he gradually declined before his death. The alleged change must, I presume, have been subsequent to the fall of '96, for in that session he was elected Governor for the third time, with a view to keep out General Wood, who was deemed a Federalist. Mr. Henry was voted for zealously by all the Republicans; he declined, however, and Wood was then elected.

It must have been about the same time that he was chosen a Senator of the United States, which I see is asserted in one of the statements furnished, tho' I have at present no distinct recollection of that fact (*quere de hoc*). I have understood that for two or three years before he died he became much debilitated. . . . He was very retired, and much out of the way of correct information. I have also understood that he became then more religious, and that it became a frequent

topic of his conversation. This I must ascribe to the debility just mentioned; for tho' I believe him to have been always a Christian, he was remarkably tolerant to others, and never obtruded that as the subject of conversation. In this state of seclusion and debility, he was a fit subject to be worked upon by artful politicians, to widen a breach which would not otherwise have been so great. That debility which, in the instance of the Will before mentioned, made him an easy prey to intrigues of a domestic character, laid him equally open to the arts of crafty politicians.

Before this time General Washington, no doubt informed of some difference in opinion between him and the Republican leaders, wrote him flattering letters. He had appointed him Secretary of State, and he and Mr. Adams appointed him one of a trio of ambassadors to go to France, or England, and also a Minister to the Court of Spain; all of which appointments Mr. Henry declined. I do not think that at the time these appointments were offered Mr. Henry was in this state of debility; nor do I assert anything about this debility but from information and belief. I have no personal knowledge of it.* They were, however, offered after Patrick Henry began to diverge from the Republican party, and measures were afterward taken to widen the breach and to inflame him against the Republican leaders.

As to these measures, Henry Lee was the principal agent. He misrepresented the views and conduct of the Republicans, and flattered Mr. Henry, and assailed him on his weak side, in the trading for valuable lands which Mr. H. wished to acquire for the sons of his second marriage. By means like this I believe it was that Lee got from him a political letter, which he used to the injury of the Republican cause in a contested election in the Northern Neck.

I well remember that when I visited Mrs. Henry, on her invitation, after Mr. Henry's death, I mentioned this fact to her, and stated the injury it had done to Mr. Henry with the Republicans. She seemed to agree with me on the subject, but concluded, with a laugh, that Henry Lee had been a great friend to their family, for that Mr. Henry had got two

* Roane's ardent Republicanism should be kept in mind while one is reading his passages on Henry's political course during this period. Jefferson planned to put Roane in line for the Presidency. The idea was to run Crawford for President and Roane for Vice-President, and then to advance Roane.

fine tracts of land from him! This was the instrument by which the influence of this infirm and declining old man was to be drawn from the Republican cause; this was the panacea for every injury. It must have been by similar means that a letter was got from Mr. Henry favoring Marshall in his election contest with Clopton. It was written to a man (Arch'd Blair) who, I well know, was hardly in the habit of conversing with Mr. Henry in his more prosperous days. On the whole, it is my decided opinion and belief (but I only give it *as* my opinion and belief) that Mr. Henry was operated upon by the artfulness and misrepresentation of artful and designing men, under circumstances of seclusion and debility arising from the infirmity of age and disease peculiarly fitting him for the operation; and that by this means he was carried to greater lengths against the measures of the Republicans than he would otherwise have gone.

The effect now supposed can only be ascribed to debility. Formerly no man was more armed against seductions of every kind than Patrick Henry. Offices had now no charm for him, for he declined them all before the time in question, and he was hackneyed through life to flattery and compliments. As a proof how impenetrable he had been to attempts of this kind, when Leven Rowell and Chas. Simons and others professed a willingness to vote for him as President, but not for Jefferson, he declined the thing by a short notification in the Gazette. If, therefore, he was operated upon, as I have supposed, it must be ascribed to debility, and to it only. Under other circumstances he could have got Lee's land without any sacrifice of opinion, for he was a match for Lee in bargaining.

Mr. Winston says Mr. Henry died in June, 1799, after "a gradual decline of about two years." I suspect it will be found that his most violent complaints against the Republicans took place within those two years. This decline was not, perhaps, attended with effects palpably visible, for he was elected for Charlotte in April, '99; but it made him gloomy on the subject of religion, and querulous on that of politics. In short, I believe it made him a different man from what he had before been. At the same time, I readily admit that he had before differed from the Republicans in some degree as to measures of policy, in some instances; in some of which, perhaps, time has shown that he was not mistaken. As to fundamentals, however, I must always believe he remained a true and genuine Republican.

APPENDIX

In giving this sketch of what I knew of Mr. Henry, I have endeavored to be faithful. It will be seen whether a spirit of candor does not run through the relation, and how far it is corroborated by other accounts. It was my intention "nothing to extenuate, nor set down aught in malice." If my descriptions seem extravagant, let it be remembered that he was a most remarkable man. As for his public conduct and opinions, they are already before the world, who will judge of them. It is only his eloquence, character, and virtue to which my details have related. In forming an estimate of his eloquence, no reliance can be placed on the printed speeches. No reporter whatever could take down what he actually said; and, if he could, it would fall far short of the original. Much of the effect of his eloquence arose from his voice, gesture, etc., which in print is entirely lost.

As to the character of Mr. Henry: with many sublime virtues, he had no vice that I knew or ever heard of, and scarcely a foible. I have thought, indeed, that he was too much attached to property: a defect, however, which might be excused on the largeness of a beloved family, and the straitened circumstances in which he had been confined during a great part of his life.

Mr. Henry was a man of middling stature. He was rather stoop-shouldered (after I knew him), probably the effect of age. He had no superfluous flesh; his features were distinctly marked, and his complexion rather dark. He was somewhat bald, and always wore a wig in public. He was, according to my recollection, very attentive to his teeth, his beard, and his linen. He was not a handsome man, but his countenance was agreeable, and full of intelligence and interest. He had a fine blue eye, and an excellent set of teeth, which, with the aid of a mouth sufficiently wide, enabled him to articulate very distinctly. His voice was strong, harmonious, and clear, and he could modulate it at pleasure.

The miniature shown by Mr. Wirt has some resemblance of Mr. Henry, but is not a good likeness. It makes him too thin and wrinkled, and to appear older than he appeared when I last saw him. I saw that miniature about the time it was taken, and gave this opinion then. The portrait I mentioned to Mr. Wirt, if in existence, affords a better likeness.

Appendix C

PATRICK HENRY'S WILL

In the name of God, Amen:—I, Patrick Henry, of Charlotte County, at my leisure and in my health do make this my last Will and Testament in manner following, and do write it throughout with my own hand. I, knowing my ever dear wife Dorethea to be worthy of the most full and entire confidence, I do will and devise to her the Guardianship of my children, and do direct and order that she shall not in any manner be accountable to any person for her management therein. I do give to my said wife Dorethea all my Lands at and adjoining my dwelling place called Red-hill, purchased from Fuqua, Booker, Watkins, & others, out of the tract called Watkins's order, to hold during her life, together with twenty of my slaves, her choice of them all, and at her death the said Lands are to be equally divided in value in fee simple between two of my sons by her; and she is to name and point out the two Sons that are to take the said Lands in fee simple at her discretion. I will and direct all my Lands in my Long Island estate in Campbell County to be divided into two parts by Randolph's old road, till you come along it to the place where the new road going from the Overseer's house to Davis's mill crosses it at two white oaks and the stump of a third, from thence by a straight line a few hundred yards to Potts's Spring at the old Quarter place, from thence as the water runs to the river which is near to the upper part where Mr. Philip Payne lives is to be added the Long Island and other Islands, to the lower part the Overseer's residence and also one hundred and fifty acres of the back land out of the upper part most convenient for both parts for Timbers to the lower. These two estates to be [in] fee simple to two of my other sons by my said wife, whom she is also to name and point out. I will and direct that there be raised towards paying my debts one thousand pounds by sale in fee simple, out of my following Lands, viz.—Leatherwood, Prince Edward Lands, Kentucky Lands, Seven Island Lands, and those lately purchased of Marshall Mason, Nowell, Wimbush, Massy, and Prewett, or such parts thereof as my Executors may direct, and the residue thereof I will and direct to be allotted equally

in value into two parts for a provision for other two of my sons in fee simple by my said wife, which sons she shall in like manner name and point out. But if the payment of my debts is or can be accomplished without selling any of my slaves or personal estate, then I desire none of these Lands to be sold, but they are to be allotted as the provision aforesaid for two of my sons. Thus I have endeavored to provide for my six sons by my dear Dorethea; their names are Patrick, Fayette, Alexander Spotswood, Nathaniel, Edward Winston, and John. I will my slaves to be equally divided amongst my children by my present wife except my daughter Winston, who has received hers, or nearly so; but the twenty slaves given to my said wife for her life, I desire she may give as she pleases amongst her children by me. I will that my wife have power to execute Deeds for any Lands I have agreed to sell, in the most ample manner. I give to my Grandson Edmund Henry, when he arrives to the age of twenty one years and not before, in fee simple, the thousand acres of Land where his father died, joining Perego's line, Cole's line, and the line of the land intended for my son Edward, dec'd., together with the negroes and other property on the said one thousand acres of Land. But in case the said Edmund shall die under the age of twenty one years, and without Issue then alive, I will the said Land, Slaves, and other property to my six sons above mentioned equally in fee simple. I have heretofore provided for the children of my first marriage, but I will to my daughters, Roane and Aylett, two hundred pounds each of them as soon as my estate can conveniently pay it by cropping. In case either of my six sons, viz.—Patrick, Fayette, Alexander Spotswood, Nathaniel, Edward Winston, or John, shall die under the age of twenty one, unmarried and without Issue then living, I will that the estate of such decedent be divided among the Survivors of them in such manner as my said wife shall direct.

All the rest and residue of my estate, whether Lands, Slaves, personal estate, Debts and rights of every kind, I give to my ever dear and beloved wife Dorethea, the better to enable her to educate and bring up my Children by her, and in particular I desire she may at her discretion collect, accommodate, manage, and dispose of the debt due to me from the late Judge Wilson in such manner as she thinks best, without being accountable to any person, but so as that the produce, whether in Lands, Slaves, or other effects, be by her given amongst her children by me, as I do hereby direct all the said residue to be given by her after her decease. If

the said debt from the said Wilson can not be recovered, then I give the Lands I covenanted to sell to him, the said Wilson, lying in Virginia and North Carolina, to my said wife in fee simple to make the most of and apply for the benefit of her children by me as aforesaid. But in case my said wife shall marry again, in that case I revoke and make void every gift, legacy, authority, or power herein mentioned, and order, will, and direct, She, my said wife, shall have no more of my estate than she can recover by Law; nor shall she be Guardian to any of my children, or Executrix of this my Will.*

I will that my daughters, Dorethea S. Winston, M. Catharine Henry, and Sarah Butler Henry, be made equal in their negroes. In case the debt from Judge Wilson's estate be recovered, I do desire and will that five hundred dollars each be paid to my dear Daughters, Anne Roane & Elizabeth Aylett, and Martha Fontaine.

This is all the inheritance I can give to my dear family. The religion of Christ can give them one which will make them rich indeed.

I appoint my dear wife Dorethea Executrix, my friends Edmund Winston, Philip Payne, and George D. Winston Executors, of this my last Will, revoking all others. In witness whereof I have hereunto set my hand and seal this 20th November, 1798.

P. Henry, L. S.

Codicil to my Will, written by myself throughout, and by me annexed and added to the said Will and made part thereof in manner following, that is to say: Whereas, since the making [of] my said Will, I have covenanted to sell my Lands on Leatherwood to George Hairston, including the 1000 acres intended for my Grandson Edmund Henry, and have agreed to purchase from General Henry Lee two shares of the Saura Town Lands, amounting to about 6,314 acres certain, and the debt due me from Wilson's estate is agreed to go in payment for the said purchase, whereby there will exist no necessity to sell any of my estate for payment of my debts, I do there-

* But Widow Dorothea did as she pleased. She married Judge Edmund Winston, Patrick Henry's cousin. That litigation followed is shown in Judge Roane's Memorandum. Court commissioners arranged a division of the various tracts of land. Colonel John Henry's letters to Wirt contain affectionate references to his aging mother, who elected to go to her grave, not as a Winston, but as a Henry.

fore give the said Saura Town Lands in fee simple equally to be divided in value to two of my sons by my dear wife Dorethea, and desire her to name the sons who are to take that estate, and it is to be in Lieu and place of the Leatherwood, Prince Edward, Kentucky, and Seven Islands, and other lands allotted for two of my sons in my said Will, so that the Red-hill estate, Long Island estate, and the Saura Town estate will furnish seats for my six sons by my wife.

In case any part of my Lands be evicted or lost for want of title, I will that a contribution of my other sons make good such loss in Lands of equal value.

I give to my Daughter Fontaine five hundred dollars; to each of my Daughters, Anne Roane and Elizabeth Aylett, one thousand dollars; to my daughter Dorethea S. Winston, one thousand dollars, as soon as my estate can conveniently raise these sums. To my Daughters, Martha Catharine and Sarah Butler, I give one thousand pounds each, and these legacies to all and each of my daughters are to be in Lieu and place of everything before intended for them, and if it is not in the power of my Executors to pay my said Daughters their legacies in money from my estate, then and in that case all my said Daughters are to take property, real or personal, at fair valuation, for their legacies respectively. And to this end I give my Lands in Kentucky, Prince Edward, at the Seven Islands, all my Lands lately purchased near Falling River and its waters, containing about 17 or 1800 acres, and all others not mentioned herein, to my Executors for the aforesaid purpose of paying Legacies and for allowing my Grandson Edmund Henry eight hundred pounds in Lieu of the Leatherwood Lands in case he shall attain the age of twenty one years or marries, but not otherwise. His Land, if he has it at all, is to be in fee simple, as also all the Lands that may be allotted in Lieu of money are to go in fee simple.

I also will that my said Dear wife shall at her discretion dispose of three hundred pounds worth of the said last mentioned Lands to any of her children by me, and finally of whatsoever residue there may happen to be after satisfying the foregoing demands, and that she shall have in fee simple all the residue of my estate, real or personal, not disposed of for the intent and purpose of giving the same amongst her children by me. If she chooses to set free one or two of my slaves, she is to have full power to do so. In case Judge Wilson's debt is lost by General Lee not taking it in payment, whereby the contract for Saura Town Lands becomes void, this Codicil is to become

of no effect, and is to be void and null, and my Executors are to compensate the two of my sons to whom my Leatherwood Lands were to go, by the Lands sold to Judge Wilson, and they are in that case to have all the Lands directed to be joined with the Leatherwood, and so much money as will make their Lotts equal in value with the Lotts of my other sons by my present wife.

In witness whereof I have hereunto set my hand and seal this 12th day of February, 1799.

P. HENRY, L. S.

Indorsements: The within is my Will written throughout by my own hand this 20th November, 1798.

P. HENRY.

The Codicil also written by myself, February 12th, 1799.

P. HENRY.

At a Court held for Charlotte County the 1st day of July, 1799, this last Will and Testament of Patrick Henry, Esquire, dec'd., with the Codicil hereto annexed, was presented in Court by Edmund Winston, Gentleman, one of the Executors herein named, and there being no witness to the said Will or Codicil, Paul Carrington, Sen'r., and Paul Carrington, Jun'r., Gentlemen, being sworn, each deposed that they are well acquainted with the Testator's hand writing, and verily believes that the said Will and the Codicil annexed, and the name thereto subscribed, are all of the Testator's hand writing; whereupon the said Will and Codicil are ordered to be recorded. On the motion of Dorethea Henry, the Executrix, and the said Edmund Winston and George D. Winston, two of the Executors therein named, who made oath according to Law, certificate is granted them for obtaining a probate of the said Will in due form, they giving security. Whereupon they with Joel Watkins, Paul Carrington, Jun'r., and Philip Payne, their securities, entered into and acknowledged their bond according to Law for that purpose, reserving liberty to Philip Payne, the other Executor named in the Will, to join in the probate thereof when he shall think fit.

Teste, THOMAS READ, Cle.

A true copy.

THOMAS READ, Cler.

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Appendix D

VERBATIM COPY OF INVENTORY & APPRAISEMENT OF ESTATE OF PATRICK HENRY IN THE COUNTY OF CHARLOTTE

a/c Judge Roane. · Roane vs. Henry—exhibit.

In obedience to an order of Charlotte Court to us directed, we, being duly sworn, have appraised the estate of Col. Patrick Henry, dec'd., in current money this —— day of July, 1799. This estate in the County of Charlotte.

1	negro man Jessee, ...	£200.
1	ditto ditto John, ...	100.
1	ditto woman, Pegg & her children, Shadrack, Nancy, Pleasant, Jessee, Reuben and Letty, ...	300.
	Dafney & her children, Tim (a) & Ned, (a) valued by consent at £40.	165.
	Milley and her child Joe, ...	100.
	Critty & her 3 children, Jack, Harrison & Coleman, ...	150.
	Girl, Tyree, ...	35.
	ditto Salley, ...	35.
	ditto Anny, ...	75.
	Alce, a young wench, ...	100.
	Dinah, an old woman, ...	40.
	Ceasar, a young fellow, ...	100.
	Peter, a negro man, ...	50.
	Bobb, a negro man, ...	120.
	Tom, a negro man, ...	120.
	Scotchman, a negro man, ...	120.
	Cato, a negro man, ...	120.
	Joe, a negro man, ...	100.
	Ciseley, a negro woman, ...	90.
	Daniel, a negro man, ...	120.
	Isaac, a negro man, ...	120.
	Doctor, a negro man, ...	10.
	Ben, a lad, ...	70.

Fox, a lad,		70.
Nel & her child Billey,		100.
Little Cate, a girl,		70.
Ben jr., a boy,		60.
Little Daniel, do.		60.
John jr., a boy,		60.
Sam, a boy,		60.
Beck & her children, Robin, Pegg and Dinah,		130.
Mary & her children, Phill, Sally, Abby, Gib & Squire,		185.
Polly & her children, Abraham, Presey, Polly and Dicy,		135.
Annekey & her children, Vilet, Fanny, Zebulon & Lewis,		175.
Cager, a negro man,		175.
Reubin, a negro man,		175.
Solomon, a lad,		70.
Aggy, a child,		3.
1	old bay mare & colt	20.
1	bay horse,	35.
1	bay horse,	40.
1	bay horse,	36.
1	bay horse,	33.
1	gray mare filley,	20.
1	bay mare & colt,	27.10
1	bay mare filley,	40.
1	gray horse colt,	20.
1	dark bay horse,	25.
1	bright bay horse,	25.
1	old Rone horse,	5.
1	bay mare,	30.
1	gray horse,	20.
1	dark bay do.	30.
1	old sorrel do.	3.
1	dark bay horse,	20.
1	sorrel horse,	18.
1	bay ditto	25.
1	black do.	10.
11	work steers,	82.10
156	head of cattle of every description,	338.
155	hogs of every kind,	107.5
60	head of sheep,	30.

9	axes,	2.12.6
35	hoes,	7.12
1	chariot & harness for 4 horses,	100.
1	ride'g chair & harness,	18.
3	mens saddles & bridles,	7.12
1	womans do. do.	6.
3	ox carts,	9.12
2	Lock chains,	.18
13	plows, hoes & gair,	11.16
3	hand saws,	1.10
1	frow,	. 2.6
4	chisels & 6 augers,	1. 3
1	pr. old cart wheels,	1. 5
1	portmantua,	1.10.
1	candle stand,	.15.
2	four feet walnut tables,	4.16.
1	Walnut press,	6.
1	Tea bord, 3 waiters & 1 bre. basket,	1. 5.
1	Walnut side bord,	1. 4.
1	ditto knife box,	. 4.6
1	flax hackell,	2.
7	large Maps,	14.
1	Arm & 12 plain Walnut chairs,	9.15.
2	Walnut desks,	12.
5	Small Walnut Tables,	6.12.6
1	Cheretree chest of drawers,	6.
1	Small Cabinet,	3.
1	Walnut box & looking glass,	.18.
2	green winsor chairs,	.12.
1	Walnut chest of drawers,	6. 6.
1	cheeck real & looking glass,	.14.
1	parcel of chainey, glass & earthen ware,	12.16.6
1	back gamon Table,	2. 8.
1	Pine Writing Desk,	. 6.
1	cradle, bed & furniture,	.12.
8	beds and furniture,	96.
1	pr. Damask bed Curtins,	9.
11	rush bottom chairs,	1. 7.6
1	Carpitt,	9.
1	Silver ladle, 12 Table Spoons and 11 Tea ditto,	15.
1	Silver rim & casters,	13.

1	Silver rim,	8.
1	ditto tea pott,	5.
1	ditto Salts,	1. 4.
8	Table cloths,	9.12.
11	knives & forks,	.18.
1	large Gun,	4.10.
1	pr. pistols,	3.
1	pr. potracks, 1 gridiron,	1. 4.
1	frying pan & 2 iron tea kitles,	.17.6
2	iron spoons & flesh forks,	. 3.
1	pr. old Steelyards & 2 iron Spits,	.12.
1	pr. new do. 1 bell mettle skillet,	2. 2.
A parcel of Tin ware,		3.
One large pine press,		1. 4.
A parcel of Tubs, pails, &c.		3.
1	Loom, Warping bars, &c. &c.	3.
4	flatt irons & 1 flax wheel,	.16.
2	pine tables & 6 pr. cott. cards,	1. 6.
1	fortepeano,	45.
A parcel of rum hds. casks, &c.		3. 6.
4	jugs & 1 Gallon pott,	1.14.
3	Spinning wheels,	.14.
Black smiths tools,		6.
7	butter pots, 6 pewter basons, and 2 chamber potts,	2.17.
1	large iron kittle,	3.
3	Stills & a parcel of Still tubs, &c.	76.
4	pr. andirons & 1 iron tribute,	3.12.6
2	bottle slides, 2 tea canisters,	.13.
4	trunks & 5 iron potts,	4.10.
2	iron skillets, 1 do. kittle,	1. 5.
3	duch ovens,	1.
1	pr. sheep shairs,	. 1.6
7	candle sticks,	1. 8.

BOOKS:

1	Vol. Grotious on peace & War,	3.
1	" Peire Williams' rep'ts,	4.10.
2	" Strange's reports,	3.
1	" Salkil's do.	2. 8.
2	Vernon's do.	1.16.
1	Vol. Carthew's do.	1. 1.
5	" Modern do.	3.
1	Equity Ca. in Talbot's time	1. 4.

1	"	Virginia Laws, ...	1.
5	"	Bacon's abridg'e in fol.	9.
3	"	Crock's reports, ...	2. 8.
1	"	Cumberback's do.	1.
1	"	Parkhurst's Lexicon, ...	1.10.
3	"	Cocke's Institutes, ...	2.
1	"	Hardwick's reports, ...	2. 5.
4	"	Blackston's Comm'ty, ...	1.16.
1	"	Equity Ca. in Talbot's time, ...	1. 4.
1	"	Centris reports, ...	1.
1	"	Cocke's do.	1.16.
2	"	Nelson's do.	2. 8.
1	"	Hawkins's Pleas of the Cro.	3.
1	"	Swinborn on Wills, ...	.18.
1	"	Rayman's reports, ...	1.
1	"	Orphan's Legacy, ...	.10.
1	"	Virginia Laws, ...	.10.
2	"	Chalmers' Collect'n of Treats. ...	1. 4.
2	"	Coleman's Terance, ...	.12.
1	"	Ward's Es. on Gram.	2.
3	"	Modern rep'ts, a brok'n sett, ...	.18.
1	Entick's Dictionary, ...		. 3.
1	Vol. Uses & trust, ...		.10.
2	"	Spirit of Laws, ...	1.
1	"	American Negotiator, ...	. 6.
1	Vol. Gibson's Guide, ...		. 4.6
7	"	Smallit's Hist'y of England, ...	2. 2.
2	"	Watson's Horrace, ...	.10.
1	"	Paraphrase . . . on the Eps. to the Romans, ...	1. 4.
3	"	Beeldfield's Erudition, ...	2. 8.
2	"	Robertson Navega'n, ...	.12.
1	"	Buchan's Dom. Medicine, ...	.15.
3	"	Adams' Defence of the American Constitution, ...	.18.
1	"	Impey's practice, ...	.13.
1	"	Bland on Decipl'n, ...	. 6.
2	"	Ramsey's revolution S. Carol.	1.
1	"	Milner's Greek Gram.	. 7.6
1	"	Junious's Letters, ...	. 7.6
1	"	Life of Dr. Franklin, ...	. 4.
1	"	Breviarin Cronologe, ...	. 7.6
2	"	Newman's Chimistry, ...	1.
1	"	Juvenal, ...	.10.

1	" Don Quick Zotte,	. 6.
1	" Watts' Hyms,	. 3.
2	" Blair's Sermons,	.10.
1	" Decalo dis Mortis,	. 2.6
4	" Proceed'g & debates of Parlem't,	1. 4.
1	" Munford's Poems,	. 6.
1	" Cureosities of Spain,	. 7.6
2	" Homeri Ilias,	1.
1	" D'Arsay,	. 2.6
1	" Muir's Introduction,	. 3.
1	Testament,	. 1.3
1	Vol. Iradical Vocabulary,	. 7.6
1	" History of Fra Eugine,	. 1.6
1	" Lord Shefield's Observa.	. 6.
1	" Dismal Fractions,	.12.
1	" Roman Antiquities,	.12.
2	" Ovid's Metamorphoses,	.12.
1	" Selctra profanus,	. 3.
1	" Compleat Eng. Farmer,	.10.
5	" Monthly review,	1.10.
1	" Conspiracy,	. 3.
1	" Spirit of Patriotism,	. 3.
1	" Juvenalis,	. 2.
1	" Selecta Colequorum,	. 1.6
1	" History of England,	. 3.
1	" Clark to Dodwell,	. 3.
1	" Thompson's Fables,	. 2.
1	" Brooker's Gazett'r,	.10.
1	" British Youth's Instructor,	. 5.
1	" Robertson Crueso,	. 1.6
1	" Art's Treas'r of Relig'n,	. 1.3
1	" Gordin's Gram.	. 6.
1	Vol. Christian's Consolation,	. 2.6
2	French Prayer Books,	. 3.
1	Vol. New art of War,	. 1.6
1	" Abridgm't of the celebrated Mr. Pennett's discrip'n of the Brit. Capi'l,	. 3.
1	Vol. Elphenston on Education,	. 2.6
The American Constitu'n,		. 3.
1	Vol. Es. on Slavery,	. 2.
1	" Introduction of the Gram.	. 1.6
1	" All for the best,	. 1.6
1	" Hyman Reason,	. 1.6

1	" Debates of the Convent'n, ...	. 6.
1	" Munroe's review, ...	. 6.
1	" Bonepartte's Camphain, ...	. 6.
1	" The Banished Man, ...	. 3.
1	Spelling Dictionary, ...	. 3.
1	Vol. Pleasing Instructor, ...	. 3.
1	" Infant's Lawyer, ...	. 6.
1	" Antiquity of Greece, ...	. 7.6
1	" Jacobinism, ...	. 9.
1	" Euclid's Elem'ts, ...	. 7.6
1	" Guthrie's Gram.	1. 4.
1	Pronouncing Spelling Dictionary, ...	. 2.
2	Vol. Leland's Demosthenes, ...	.12.
1	" Cocker's Arethmatick, ...	1. 9.
1	" Discorses on Religion, ...	. 3.
1	" Pope's Poems, ...	. 2.
1	large old Bible, ...	. 7.
1	Vol. Page's Travels, ...	.12.
1	" Creden's Concordance, ...	.18.
1	" Glass's Cookery, ...	. 6.
1	" Dillon's Travels thro Spain, ...	.12.
1	" Modern Conveyancer, ...	. 7.6
1	" Es. on Establishing a Standard,..	. 7.6
1	" Mottes's Philosefical Transact'gs,	.18.
2	" Danvers' abridgment, ...	1.10.
1	" Ward's 4 Esays, ...	. 6.
1	" Dr. Sydenham's Works, ...	. 3.
1	" Ward's Mathematics, ...	.12.
1	" Parlem'y register, ...	.12.
2	" N. Test. Grecum, Hardy, ...	1.
1	" Preceptor, ...	.12.
1	" Barkley's Greek rudem'ts, ...	. 6.
1	" Lex Parliment.	.10.
1	" Tyrace's directions, ...	. 6.
1	Wallace's Gram.	. 6.
1	Vol. Gibson's Fair'rs Guide, ...	. 6.
1	" Treatise on the Mathematics, ...	. 6.
1	" Sacred & profain history, ...	1.10.
2	" Johnson's dictionary, ...	.12.
1	Vol. Sum'y of the Crown Law, ...	. 6.
1	" Buller's Nise prius, ...	.10.
1	" Scott's Lessons, ...	. 4.
1	" Tisol on Phisick, ...	. 6.
2	" Independant Wigg, ...	. 9.

1	"	Tillotson's Sermons, ...	. 3.
1	"	Aneckdotes on Frederick, ...	. 3.
1	"	Education compleat, ...	. 3.
2	"	Nature displayed, ...	. 6.
1	"	Junious' Letters, ...	. 6.
1	"	Noxe's Esays, ...	. 6.
4	"	Pope's Odysey, ...	.12.
3	"	Contea Morax, ...	. 9.
1	"	Turkish Spy, ...	. 1.6
1	"	Prophain History, ...	. 3.
1	"	Pender's works, ...	. 1.6
A parcel of Greek & Lattin books, in our estimation worth			1.16.
1	Vol.	Chimistry, ...	. 7.6
1	"	Modern Farmer's guide, ...	. 3.
1	"	Trials—Pais, ...	. 3.
			5727.19.0

D. Henry
E. Winston
Geo. D. Winston
} exrs.

J. Scott
W. Cooper
Joe Marshall

Memo.: This appraisement and Inventory differs in as much as that the Inventory given by Mrs. Henry was agreeable to the number of cattle turned out in the Spring and the appraisement being only for the number shown at the time of the appraisement.

J. Scott
Joe Marshall
W. Cooper

At a Court held for Charlotte County the 6th day of September, 1802, this Inventory and appraisement of the estate of Patrick Henry, dec'd., in the County of Charlotte, was this day returned by Edmund Winston, one of the executors, and ordered to be recorded.

Teste, Thomas Read, Cl.
A Copy.
Thomas Read, Cler.

APPENDIX

INVENTORY OF THE ESTATE OF PATRICK HENRY, ESQ., DECEASED

At Red Hill, September 11th, 1802.

NEGRO MEN.

Doctor, Past labor	Tom, prime of life
Peter, decline of life	Isaac, "
Joe, past middle age	Cajer, "
Bob, " " "	Jesse, "
Daniel, prime of life	John, "
Scotchman, do.	Cesar, "
Cato, "	Fox, "

NEGRO BOYS FROM 12 TO 16.

Jack	Shadrack
Daniel	Sam
Ben	Solomon
Island Ben	

NEGRO WOMEN.

Kate, past labor	Anakey, prime of life
Betty, "	Cecily, "
Dinah, old woman	Kate, "
Beck, decline of life	Peg, "
Polly, "	Aylce, "
Daphne, "	Anne, "
Mary, prime of life	Critty, very infirm
Nell, "	

NEGRO GIRLS.

Nancy	Salley

NEGRO CHILDREN.

Pleasant	Gib
Jesse	Squire
Reuben	Phil
Lettie	Violet
Ned	Fanny
Jack White	Zebulon
Harrison	Louis
Coleman	Billy
Salley	Patrick
Robin	Betsey

NEGRO CHILDREN (*Continued*).

Dinah	Simeon
Abram	Molley
Priscy	Hannah
Polly	Jim
Dicy	Peter
Abby	

2 saddle horses, 12 yrs. likely
1 saddle horse, 5 yrs. likely
3 bay horses, 12 yrs. stout & strong
1 sorrel, 12 yrs. middle size
1 bay, 17 yrs. middle size
1 gray, 4 yrs. middle size
1 gray mare, 4 yrs. middle size
1 bay mare, 7 yrs. middle size
1 dark bay mare, 10 yrs. Do.
1 small bay mare, 18 yrs.
1 gray horse colt, 3 yrs.
1 gray mare colt, 3 yrs.
1 black mare colt, 2 yrs.
2 gray colts, 1 yr.
2 suckling colts

5 yoke of oxen
128 head of cattle
186 head of hogs
38 head of sheep

9 feather beds & furniture
8 table cloths, part much worn
1 black walnut Press
2 black walnut desks
2 black walnut square tables
1 black walnut Side board
5 black walnut small tables
1 black walnut chest of drawers
13 black walnut chairs
3 Windsor chairs
1 Scotch carpet much worn

SILVER PLATE.

1 ladle
1 doz. table spoons
1 doz. tea spoons

Silver Plate (*Continued*).

1 sett of castors
1 Rim
1 teapot
2 salt cellars

Kitchen Furniture.

1 small iron pot
4 large iron pots with cracks & holes
4 dutch ovens with broken lids
1 iron tea kettle hole in the top
1 iron tea kettle without top or handle
1 large iron kettle
3 pottle pewter basons
2 pint pewter basons
3 pottle basons & 1 old dish worth no more than old pewter
2 pewter chamber pots
7 large earthen dishes
5 small earthen dishes
1 turene
1 large china bowl
2 small china bowls
10 china tea cups & saucers of broken setts
8 china coffee cups & saucers, the cups cracked & without handles chiefly
Sundry other china & earthen ware, cracked & broke
7 blue edged earthen breakfast plates
8 white large earthen plates
16 blue edged earthen plates
2 iron spits
1 iron skillet
1 bell metal skillet
4 glass tumblers
1 doz. wine glasses

1 chariot & harness for 4 horses
1 single chair & harness, much worn
1 sett of B. Smiths tools, indifferent
1 smooth boor gun
3 spinning wheels
1 loom & furniture
1 glass wheel & hatchel
6 pr of cards
1 back gammon table

4 pr andirons, much injured
2 pr tongs & 1 shovel
3 mens saddles very much worn

1 womans saddle
4 trunks
1 pine writing desk
2 " tables
1 large pine press
6 butter pots & 4 jugs
1 130 gallon still Virginia made
1 30 gallon London still
1 large iron kettle
1 gallon measure
7 large maps
2 ox carts & 2 chains
1 waggon & geer
1 tea board & 3 waiters
1 bread basket
1 candle stand broke
1 mahogany knife case (struck out on Mrs. Winston telling me it was a present to her from Capt. Joseph Scott.)
1 pine knife box & 8 old knives & forks
1 pr horsemans pistols, broken locks
1 check reel
1 large decanter
1 small "
2 tea canisters
2 bottle sliders
4 flat irons, very indifferent
4 screw augers
1 hand saw
1 pr sheep sheers
3 nice brass candlesticks
4 iron candlesticks
3 pr snuffers
1 crosscut & 1 whip-saw
1 brass scale
2 bar-sheer plows
1 fan mill
1 case of bottles
1 sett of damask bed curtains, very much worn
plantation utensils for 22 hands
3 looking glasses, 2 somewhat injured and small

The stock of cattle at the Seven Islands when it was broke up were not removed; the number at that time was 39, one of which is since dead.

Mrs. Winston before her marriage gave a yoke of oxen & 4 cows & calves to Mrs. Campbell out of the above mentioned number.

I have not seen the above mentioned stock since last spring, but if no accident has happened to them there are about 28.

WILLIAM COOPER

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